

Thursday, 20 June, 1946

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INTERNATIONAL MILITARY TRIBUNAL  
FOR THE FAR EAST  
Court House of the Tribunal  
War Ministry Building  
Tokyo, Japan

The Tribunal met, pursuant to adjournment,  
at 0930.

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Appearances:

For the Tribunal, same as before.

For the Prosecution Section, same as before.

For the Defense Section, same as before.

CAPTAIN A. W. BROOKS, AUS, will hereafter be referred  
to as MR. A. W. BROOKS.

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(Japanese to English and English  
to Japanese interpretation was made by OKA,  
Takashi and TSUCHIYA, Jun, Sho Onodera  
acting as Monitor.)

1 MARSHAL OF THE COURT: The International  
2 Military Tribunal for the Far East is now resumed.

3 THE PRESIDENT: All the accused are present  
4 except OKAWA and MATSUOKA who appear by their re-  
5 spective counsel.

6 Does any counsel desire to refer to any mat-  
7 ter?

8 Mr. Donihi, go ahead.

9 MR. DONIHI: May it please the Tribunal,  
10 the prosecution at this time wishes to direct the  
11 attention of the Tribunal to basic document 217,  
12 which has been heretofore introduced in evidence  
13 by Mr. Horwitz. That document number, may it please  
14 the Tribunal, is the IPS document number, and is  
15 not the exhibit number, this being the New Peace  
16 Preservation Law enacted in 1941, and a revision  
17 of the 1925 Peace Preservation Law. We wish to  
18 direct the Court's attention to this for the pur-  
19 pose of establishing the fact that this is the  
20 law to which the last witness on yesterday had  
21 testified in his affidavit as being used to stamp  
22 liberalism out of the school system of Japan and  
23 in the teachings thereof.

24 THE PRESIDENT: Mr. Hammack.

25 MR. HAMMACK: ~~Addressing the Marshal of the~~

MAEDA

DIRECT

1 Court) Captain, please, will you call Tamon MAEDA.

2 MARSHAL OF THE COURT: Mr. President, the  
3 witness is in court and will now be sworn.

4 - - -

5 T A M O N M A E D A , called as a witness on be-  
6 half of the prosecution, being first duly sworn,  
7 testified as follows:

8 DIRECT EXAMINATION

9 BY MR. HAMMACK:

10 Q What is your name?

11 A MAEDA, Tamon.

12 Q Mr. MAEDA, I show you a document, being  
13 prosecution's exhibit No. 140, and ask you to ex-  
14 amine the same and state whether or not you recog-  
15 nize it.

16 A There are two or three phrases which are not  
17 right, but on the whole it is identified.

18 Q You signed this document, did you not,  
19 Mr. MAEDA?

20 A Yes, I did.

21 Q As I understood your answer, you said there  
22 were two or three phrases which were not correct.  
23 Will you examine the document, please, and state  
24 which the two or three phrases are which are in-  
25 correct, please.

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1           A It is difficult for me -- it will take some  
2 time were I to take up every single point. For ex-  
3 ample, I have said -- it is written here that since  
4 1930 on, the government disseminated propaganda  
5 through newspapers, et cetera, to establish that  
6 Manchuria is Japan's lifeline, etc.

7           Around line 12 the word "government" is used,  
8 but I believe this word "government" is not correct.

9           THE MONITOR: Correction: Not around line  
10 12, but about 12 lines starting from 1930.30

11          Q Do I understand that the only objection you  
12 have to it is the word "government"? Is that cor-  
13 rect, Mr. MAEDA?

14          A It will take some time to point out every  
15 single portion of this affidavit that is like that,  
16 but there is one other similar example concerning  
17 this first word "government." I believe that it  
18 would be more correct to say, instead of "government,"  
19 "militaristic leaders," because it was not only the  
20 government, but military leaders and civilians as  
21 well.

22          Mr. MAEDA, I will put it this way rather than  
23 attempt to explain each word. You speak English, do  
24 you not?

25          A Yes, somewhat.



MAEDA

DIRECT

1 Q And you read English, do you?

2 A Yes, I do.

3 Q You signed that document, did you, Mr.

4 MAEDA?

5 A Yes, I did sign it.

6 Q Before you signed the document, Mr. MAEDA,  
7 did you read the document in English and did you  
8 understand the words set forth therein?

9 A Yes, I did understand it.

10 Q And was the document also translated from  
11 English into Japanese for you, and did you under-  
12 stand the translation from English into Japanese?

13 A I only read the English text, and I did not  
14 see the Japanese text.

15 Q Is the English text correct?

16 A As I have just said, there are two or three  
17 words which I consider improper, but the general  
18 import of the document is correct.

19 Q Would you say, Mr. MAEDA, with the exception  
20 of the two or three words, the statements set forth  
21 in this affidavit are true?

22 A Yes, I do.

23 MR. HAMMACK: May I offer this in evidence,  
24 may it please the Court, and ask that it be marked  
25 exhibit No. 140.

MAEDA

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1 MR. FURNESS: The defense objects to the  
2 acceptance of this document in evidence until the  
3 errors which the witness stated occurred in the doc-  
4 ument are pointed out to the Court. If it takes some  
5 time I think it is worth while to take that time to  
6 note what the changes are.

7 THE PRESIDENT: Admitted, subject to cor-  
8 rection.

9 (Whereupon, prosecution's  
10 exhibit No. 140 was received in evidence.)

11 Q Mr. MAEDA, I will read this affidavit, para-  
12 graph by paragraph, and if at any time at the end of  
13 each paragraph I will ask you if there is some word  
14 there which should be changed, if you will kindly advise  
15 me what the change should be, we will do it right now.

16 "INTERNATIONAL MILITARY TRIBUNAL FOR THE FAR EAST  
17 "THE UNITED STATES OF AMERICA, et al.)  
18 -AGAINST- ) A F F I D A V I T  
19 ARAKI, SADA0, et al. )

20 MR. HAMMACK: Will you listen to the English,  
21 Mr. MAEDA?

22 Q I was formerly "a newspaper editorial writer  
23 and also at one time deputy mayor of Tokyo, a member  
24 of the governing body of the International Labor Of-  
25 fice at Geneva and Minister of Education, beginning  
August 18, 1945 until January 13, 1946." Is that

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1 correct, Mr. MAEDA?

2 A That is correct.

3 Q "During the years 1928 to 1938 I was an  
4 editorial writer on the Tokyo Asahi Shimbun. I  
5 have no recollection in 1928 of any organized pro-  
6 gram by the military or the government of Japan,  
7 through newspapers, to build or develop any propa-  
8 ganda in anticipation of the Manchurian Incident."  
9 Is that correct, Mr. MAEDA?

10 A That is correct.

11 Q "Through 1926, 1927 and 1928 the general  
12 atmosphere in Japan was tense. The military and  
13 ultra-nationalistic groups attributing the weakened  
14 condition of finance and weakened condition of Japan  
15 during these years to too much liberal tendencies  
16 on the part of the government and people." Is that  
17 correct, Mr. MAEDA?

18 A That is correct.

19 Q "As a newspaper man and as such having  
20 knowledge of governmental policy during this period  
21 of time I know the TANAKA Cabinet was formed for the  
22 purpose of adopting a more aggressive policy in con-  
23 nection with Manchuria." Is that correct, Mr. MAEDA?

24 A I think so.

25 Q "Beginning with 1930 propaganda was :

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1 disseminated by the government through the news-  
2 papers to establish the thought in Japan that Man-  
3 churia was the lifeline of Japan and a stronger  
4 policy in connection with Manchuria must be adopted;  
5 that acting upon instructions from the government" --  
6 Is that correct?

7 A Yes, I think so.

8 Q Is that correct down that far, Mr. MAEDA?

9 A If the word "government" is changed to  
10 "militaristic leaders," that will be correct.

11 Q The word "government" should be changed to  
12 "militaristic leaders," is that correct, Mr. MAEDA?

13 A Yes.

14 Q --- "editorial writers, ultra-nationalistic  
15 speakers and writers of books were all united in a  
16 concerted effort to establish public opinion for more  
17 aggressive action in Manchuria." Is that correct,  
18 Mr. MAEDA?

19 A That is correct.

20 Q "In the beginning of this policy the govern-  
21 ment did not take any distinct method of suppressing  
22 newspapers" -- Do you think we should change the word  
23 "government" there, Mr. MAEDA?

24 A Would you mind repeating that phrase?

25 Q "In the beginning of this policy the government

1 did not take any distinct method of suppressing news-  
2 papers" --

3 A Yes, that is "government."

4 Q - - "in opposition to this policy but rather  
5 they favored the papers, scholars and public speak-  
6 ers who advocated the same. This was done very  
7 tactfully and gradually. Shortly preceding 1931  
8 stricter methods were used by law enforcement agen-  
9 cies to suppress liberal writers, teachers and others  
10 who were in opposition to this policy, while on the  
11 other hand every encouragement was given those who  
12 were in favor of it." Is that right, Mr. MAEDA?

13 A Yes.

14 Q "Through newspapers, publishers, writers,  
15 speakers and, in fact, all channels by which propa-  
16 ganda could be disseminated it was claimed on the  
17 part of the government and military that Manchuria  
18 was the lifeline of Japan, that Japan must expand  
19 into Manchuria and develop economically and indus-  
20 trially and set it up as a defense state against  
21 Russia;" - - Is that correct, Mr. MAEDA?

22 A Yes.

23 Q - - "that as a result of certain treaty  
24 rights, Japan was entitled to control Manchuria  
25 and, in addition to this propaganda, propaganda



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1 of a sentimental nature was disseminated based up-  
2 on the fact that Japanese blood had been shed in  
3 Manchuria in the Russo-Japanese war and that by rea-  
4 son of these sacrifices Japan was entitled to con-  
5 trol Manchuria and to realize the fruits thereof."  
6 Is that correct, Mr. MAEDA?

7 A Yes.

8 Q "Dr. Shumei OKAWA was one of the leading  
9 writers in favor of this policy."

10 MR. FURNESS: This is very different from  
11 any affidavit which has been delivered to the defense.  
12 This sentence does not occur - -

13 MR. HAMMACK: Which sentence was that?

14 MR. FURNESS: The sentence that you just  
15 read.

16 MR. HAMMACK: It is certainly in the origi-  
17 nal, may it please the Court.

18 May it please the Court, on the copies it is  
19 apparent that the sentence which I just started to  
20 read was a copy not reflected on there, or was  
21 obliterated out. I submit, most respectfully, that  
22 it would not be injurious, and I will read it slowly  
23 so that counsel may get the full import of it.

24 THE PRESIDENT: It is not in the Court's  
25 copy.



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1 MR. HAMMACK: Apparently, it happened in  
2 the mimeographic, may it please the Court, and I  
3 will take steps to see that correct copies are sub-  
4 mitted to the Court.

5 Q "Dr. Shumei OKAWA was one of the leading  
6 writers in favor of this policy, there being several  
7 other writers favoring the same policy such as OKAWA.  
8 OKAWA's writing always urged expansion and control of  
9 Manchuria by Japan." Is that correct, Mr. MAEDA?

10 A Yes.

11 Q "Following the Manchurian Incident the  
12 government and the military started an organized  
13 program of justifying Japan's position in Manchuria,  
14 partly to offset the criticism at home." Is that  
15 correct, Mr. MAEDA?

16 A Yes.

17 Q "Following the Manchurian Incident the War  
18 Ministry started censoring newspapers and editorials  
19 and in addition to the censorship laws relating to  
20 this subject officers called on any writer or news-  
21 paper who might have printed something that was un-  
22 satisfactory to the War Ministry and advised such  
23 writer or newspaper that such an article was dis-  
24 pleasing to the War Ministry. Further control of  
25 newspapers and editorial writers was exercised by

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1 the War Ministry through the use of several vio-  
2 lent organizations who would give threats to the  
3 writer or to the editor of a newspaper publishing  
4 anything considered unfavorable to the policy of  
5 the government and the military." Is that correct,  
6 Mr. MAEDA?

7 A Yes, it is.

8 Q "About 1936 when the Anti-Comintern Pact  
9 was signed I gave a lecture at a certain meeting at  
10 which I stated at this lecture that by reason of  
11 this Anti-Comintern Pact Japan had isolated herself  
12 from the rest of the world and in which lecture I  
13 expressed disapproval of the Anti-Comintern Pact.  
14 As a result of this lecture two officers of the rank  
15 of lieutenant colonel, one from the War Ministry  
16 and another from the General Staff, called on me,  
17 stating that each had been attaches to the Japanese  
18 Embassy, one in Italy and the other in Germany; that  
19 they did not like my expressing disapproval of the  
20 Anti-Comintern Pact and instructed me that in the  
21 future when writing or speaking on such subjects to  
22 do so in a more favorable aspect. While no actual  
23 threats were made to me there was much rattling of  
24 their sabers and no possibility of misunderstanding  
25 their disapproval of my action." Is that correct,

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Mr. MAEDA?

A That is correct.

MR. FURNESS: That does not occur in our copy.

THE PRESIDENT: That is not in the Court's copy.

MR. BROOKS: If the Tribunal please, I think since we have this witness here on the stand, we could save a lot of time by asking a few direct questions. To bring out only those relevant points, would clarify our cross-examination. This line of the prosecution's case, in this type of form does no more than allow leading questions and then allow these men to put their rubber stamp on them. There are a lot of statements here that I have noticed, that are word for word, and there are three affidavits that are word for word and also which are, paragraph by paragraph, the same. It is apparent that no such statements were made to this prosecutor. It is apparent on its face that some of these things are hearsay testimony, especially this group going into the record today, and those giving us during the last twenty-four hours. A lot of leading statements would be asked to bring out certain portions of the case in which the prosecution has the burden of proof, but this puts the burden on the defense, and they have to put a lot of time on matters that need explanation for the

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1 Court's benefit; things that not only burden the  
2 defense, that have to do this, but also the Court.  
3 I ask the Court to reconsider, and to allow certain  
4 expeditious questions to be put to these men by  
5 direct examination.  
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1 MR. HAMMACK: May I say this, may it please  
2 the Court: It is obvious from the attitude of the  
3 various witnesses who have been called that they would  
4 not sign any document or affidavit unless they were  
5 certain as to its correctness and the facts were  
6 true. In reply to counsel's objection that these  
7 affidavits are similar, that follows as the day fol-  
8 lows the night because the facts are absolutely  
9 identical and they could not be placed any other  
10 way where the facts are so identical, as has been  
11 established in connection with the public school  
12 system in Japan and, with the exception of a variation  
13 of a word of the person signing the document, you  
14 cannot change facts that absolutely exist.  
15

16 THE PRESIDENT: We have heard enough at  
17 this stage. Proceed with the reading of the affidavit.  
18 The errors are not being concealed from the defense.  
19 You can cross-examine upon them after.

20 MR. FURNESS: We are confused as to which  
21 is the correct document, the document we have in our  
22 hands or the document which the prosecution is reading.

23 MR. HAMMACK: Here is a copy of it. I am  
24 quite certain it is correct, counsel, which I will be  
25 very happy to let you have.

THE PRESIDENT: I want to emphasize no



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1 error is concealed from the defense and the errors  
2 disclosed can be cross-examined upon. There is no  
3 need for all these objections; they are a waste of  
4 time.

5 MR. HAMMACK: (Reading) "I ordered all of  
6 such textbooks destroyed for the reason they were  
7 used to teach the students, first, that Japan was a  
8 country superior to all other countries, that was  
9 the most objectionable; another was the confusion of  
10 facts with mystery and legend; too much admiration  
11 of military action and warfare; too much admiration  
12 and homage to military officers and the idea of ab-  
13 solute subjection of the individual in favor of the  
14 state.

15 "In addition to the textbooks which I ordered  
16 destroyed for the reasons stated there was also issued  
17 by the Ministry of Education to be widely read by  
18 teachers, students and citizens at large a book en-  
19 titled 'Fundamental Principles of the National Polity,'  
20 published in May 1937, and 'The Way of National  
21 Subjects,' which was published in March 1941.

22 "Upon becoming Minister of Education in 1945  
23 a survey of the Japanese school system as it had existed  
24 previously established that before the China Incident  
25 the military took over control of all the schools



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1 by placing in the schools Army officers who super-  
2 vised the military teaching and training, this  
3 control following the China Incident becoming so  
4 absolute that such officers instructed the princi-  
5 pals of the schools as to how the courses and  
6 administration of the school system should be con-  
7 ducted. Tamon MAEDA."

8 LANGUAGE SECTION CHIEF: Mr. President, at  
9 this time I must inform the Tribunal that due to the  
10 number of breaks in the reading of Mr. Hammack's  
11 English version of the affidavit, it has not been  
12 possible to read the Japanese version simultaneously  
13 over the IBM System. At this time, with the Tribunal's  
14 permission, we shall read the Japanese version as  
15 supplied to us by the prosecution.

16 MR. HAMMACK: May that be done, may it  
17 please the Court?

18 THE PRESIDENT: Yes.

19 (Whereupon, the Japanese version  
20 of the affidavit was read.)

21 BY MR. HAMMACK (Continued):

22 Q Mr. MAEDA, I show you a document that has  
23 been marked "Prosecution's No. 262" and ask you to  
24 examine this document, please, and state whether or  
25 not you recognize it.

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1           A    Yes, I identify it.

2           Q    What is the name of that document or book,  
3 please?

4           A    "The Way of Subjects."

5           Q    Will you state--

6           MR. WARREN: May we have that answer again,  
7 sir?

8           THE PRESIDENT: I did not hear it.

9           MR. HAMMACK: "The Way of the Subject."

10          Q    Mr. MAEDA, by whom was this book published?

11          A    The Department of Education.

12          Q    Was this book issued by the Department of  
13 Education to teachers and students of the Japanese  
14 schools?

15          A    Not necessarily only to be read by teachers  
16 and students. It was published for the purpose of  
17 being read besides these people by the people at  
18 large.

19          Q    Will you state when this book was published,  
20 Mr. MAEDA?

21          A    I believe it was published in the year 1941  
22 but I may be mistaken. However, you have the book.  
23 You would probably be more sure of that than myself.

24          Q    Will you please examine the book, Mr. MAEDA,  
25 and state if you can from the book when it was

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published?

1           A    This book, "The Way of Subjects," if we  
2           examine fragmentary facts just portion by portion,  
3           there are some parts, of course, which are useful,  
4           which are not altogether bad. For instance, there  
5           are several useful quotations from classics, but  
6           I criticize the general tendency of this book. When  
7           this book is taken as a whole, the spirit that it  
8           shows is to be criticized.  
9

10          Q    The question, Mr. MAEDA, was--

11               THE PRESIDENT: Just a second--

12               MR. HAMMACK: Pardon me, your Honor.

13               LANGUAGE ARBITER (MAJOR MOORE): Mr.

14           President, the interpretation, sir, of the question  
15           was wrong and gave the witness a wrong idea of what  
16           the question was.

17               THE PRESIDENT: Yes, what was the answer  
18           to the question?

19          Q    The question, Mr. MAEDA, was, will you state  
20           when the book was published, please?

21           A    It was published on March 31, 1941.

22          Q    May I have the book back now, please?

23           A    Certainly.

24               MR. HAMMACK: At this time, may it please the  
25           Court, I wish to offer this book in evidence as

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1 prosecution's next in order and that it be given  
2 the number 262 -- 121 -- 141.

3 (Whereupon, the book above  
4 referred to was marked prosecution's  
5 exhibit No. 141 for identification.)

6 THE PRESIDENT: Admitted subject to the  
7 usual terms.

8 (Whereupon, prosecution's  
9 exhibit No. 141 was received in evidence.)

10 MR. WARREN: If the Court please, I would  
11 like to have a chance to examine that book. I have  
12 never seen it. I have never received any copy of it.  
13 I would like to have a chance to see what it is be-  
14 fore we go to testifying about it. I think we have  
15 a right of examination of documents being offered  
16 in evidence.

17 THE PRESIDENT: It is admitted and you may  
18 peruse a copy of it or peruse it.

19 MR. WARREN: Do we have any copies avail-  
20 able? We don't even have a copy of it. As far as I  
21 know, I have not seen it.

22 MR. HAMMACK: Copies, your Honor, of  
23 portions which have been extracted from the book  
24 were served on counsel for defense yesterday.

25 MR. FURNESS: Will you give us the document

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1 number so we can look in our files and get it?

2 MR. HAMMACK: The number is 1675.

3 MR. FURNESS: Are only the portions which  
4 appear in the paper which you gave to us offered now  
5 in evidence or the entire book?

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1 MR. HAMMACK: That is correct. We are  
2 offering the entire book, your Honor, for conven-  
3 ience of counsel.

4 THE PRESIDENT: There are now four counsel  
5 standing up to object to a document which, you say,  
6 was served on them. That is utterly ludicrous.

7 MR. HAMMACK: We are offering in evidence  
8 in English and Japanese certain extracts from the  
9 book. We have not attempted to have it translated  
10 in its entirety but the book itself is there for the  
11 convenience of counsel for the defense who may use  
12 it for whatever purpose they see fit.

13 THE PRESIDENT: We take your word for it,  
14 Mr. Hammack, that you are observing the rules about  
15 documents and that you are serving copies on the  
16 accused or their counsel.

17 MR. HAMMACK: Yes, your Honor, but I do  
18 wish to make this statement, however. I have nothing  
19 to do with the distributing system and I was advised  
20 yesterday afternoon as I left court, by the person  
21 who is responsible for it, that these copies had been  
22 served upon counsel for the defense, I think around  
23 four o'clock yesterday afternoon.

24 MR. BROOKS: If the Tribunal please, I would  
25 like to request that the instruction be made by the



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1 Tribunal on this matter of service of these copies  
2 that would bind the defendants as well as the prose-  
3 cution, that any copy offered in evidence, that there  
4 be a certificate attached showing the date and the  
5 hour served upon the opposing counsel, either to  
6 their office, their administrative office could  
7 sign -- one clerk could sign. It would resolve  
8 these questions and I think will prevent these  
9 things from happening that are happening in the  
10 court. Because if they do not have that, the party  
11 offering in evidence will know something has gone  
12 wrong and will not take up the Court's time and  
13 cause this confusion.

14 MR. HAMMACK: I am advised, may it please  
15 the Court, that as these copies are sent down to the  
16 office of defense counsel, someone down there signs  
17 for all of them so they can easily ascertain whether  
18 they have been received or not by inquiring of the  
19 person assigned to that duty.

20 MR. BROOKS: I would like for the Court, if  
21 you please, to have that presented here so when my  
22 copy comes in, the prosecution has it right there  
23 before them, the evidence that we have served upon  
24 them twenty-four hours in advance, anything that we  
25 may introduce; and I would like to have the same

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1 thing applied at this time on our behalf as part of  
2 the case. His own statement the other day was that  
3 one of the papers was not served twenty-four hours.  
4 There are several hours difference. We are very  
5 limited in our time once we are out of the court  
6 and I think it would be quite proper for the Court  
7 to put in, and respectfully request that a ruling  
8 be made that any matter placed in evidence here,  
9 that a certificate be signed by one of the adminis-  
10 trative officers, either prosecution or defense,  
11 whichever case it happens to be, that it was served,  
12 acknowledging service and acknowledging receipt on  
13 the date and hour indicated.

14 MR. HAMMACK: I object to that, your Honor,  
15 on the ground it would only have one tendency, that  
16 is, to create more difficulties and more red tape.  
17 I submit the practical matter is the one that has  
18 been adopted that someone in the office sign for all  
19 copies. If an attempt is made to serve on all counsel,  
20 you would never get them together, for one thing. It  
21 would be an impossibility.

22 MR. BROOKS: I have not requested all counsel,  
23 if your Honor please. I have only requested that the  
24 Records Office of each side, prosecution or defense,  
25 someone sign for all counsel in each case, but just

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1 to show that it was served on their administrative  
2 office twenty-four hours in advance. It hasn't  
3 happened several times here.

4 THE PRESIDENT: It occurs to us that  
5 Captain Brooks' suggestion is a very sensible one.  
6 There should be one person on whom to serve all of  
7 the documents upon the defense and that one person  
8 should give a receipt and undertake distribution  
9 among all of the counsel for the accused. I did  
10 not know that that existed. That does show some  
11 sort of organization among the accused's counsel.  
12 We thought that was missing. And the receipt should  
13 show the hour at which the document was received  
14 so that it can be checked up with the rules.

15 MR. HAMMACK: That has been done and will  
16 be done and we will continue to do so, your Honor.

17 THE PRESIDENT: This is not a document  
18 that came to light at the last minute. You must have  
19 had it for months.

20 MR. HAMMACK: It was a translation problem,  
21 if it please the Court.  
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A 1 MR. HAMMACK: At this time, may it please  
b 2 the Court, I offer in evidence the English translation  
r 3 from the prosecution's exhibit No. 141, and request  
a 4 the privilege at this time of reading the English  
m 5 translation from that book. (Reading):  
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"THE WAY OF A SUBJECT

(March 31, 1941)

Preface

12 "The way of a subject of the Empire orig-  
13 inates in the fundamental character of our Empire  
14 is in the guarding and maintaining of the prosperity  
15 of the Imperial Throne coeval with Heaven and earth.  
16 This is not an abstract form, but a historical stand-  
17 ard set down firmly for our daily life and conduct;  
18 the people's entire lives and activities solely  
19 point toward the enhancing of the Imperial Foundation.

20 "Since the Meiji Restoration our country has  
21 been seeking knowledge far and wide throughout the  
22 world, fostering, thereby, the root of Imperial  
23 development and prosperity, but with the intro-  
24 duction of Occidental civilization, we have come  
25 to be influenced by individualism, liberalism,

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1 utilitarianism, materialism and others, and have  
2 often fallen into the error of running counter to  
3 our time-honored national character, thus, impair-  
4 ing the fine customs that have long been handed  
5 down to us from our ancestors. Since the outbreak  
6 of the MANCHURIAN Incident, and the subsequent occur-  
7 ence of the CHINA Incident, our national spirit  
8 has gradually been heightened, but in looking into  
9 the various phases of our national life, I dare not  
10 say that we all have a clear understanding of the  
11 fundamental character of our Empire or have a thor-  
12 ough conception of our position as a Japanese. It  
13 is a matter of deep concern that we sometimes find  
14 those who knowing the sanctity of our Empire, let  
15 it remain as a mere idea, never embodying it in  
16 their actual daily lives. Under these circumstances,  
17 it is difficult to get rid of the evils of the  
18 Occidental thoughts which have deeply and persist-  
19 ently permeated into the different phases of our  
20 national life and to set up a nation-wide system  
21 to guard and support the Imperial prosperity, and  
22 ultimately to achieve our intended undertaking, the  
23 greatest of its kind ever known in history. I assert  
24 therefore that the urgent need of the hour is to  
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1 discard the ideas of individualism and utilitar-  
2 ianism and to live up to the duty of the Imperial  
3 subject -- the duty whose primary aim is in the  
4 service to the country.

5 "It is true that originally world pene-  
6 tration by the European nations was from an advent-  
7 urer's interest, but it was mainly prompted by  
8 insatiable materialistic desires. They slaughter-  
9 ed the aborigines, or enslaved them, or dispossess-  
10 ed them of their lands, making it their colonies;  
11 natural resources were taken back to their home-  
12 lands in great quantities and enormous profits  
13 were gained through trade. Thus, in their in-  
14 vasions all the world over, they dared to commit  
15 atrocities which neither heaven nor man could  
16 tolerate, perpetrating these cruelties again and  
17 again. How were the American Indians dealt with?  
18 How about the African blacks? They were rounded  
19 up as white men's slaves, and driven about like  
20 beasts on the American continent. Look at those  
21 people of the Greater East Asia Co-prosperity  
22 Sphere! How were they subdued? And how do they  
23 fare now? This may easily convince you of the  
24 truth of what I have just stated above.

25 "The World War I had undoubtedly a great



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1 deal to do with the long standing hostile relations  
2 between Germany and France, but the primary cause  
3 lies in the Anglo-German strife for maritime and  
4 economic supremacy. The war ended in defeat for  
5 Germany, who, thoroughly hard pressed by the vic-  
6 tors, was driven to the verge of utter ruin, while  
7 it evermore strengthened the Anglo-American monopo-  
8 listic mastery of the world. The weak minor nations  
9 which were set up under the cloak of racial determ-  
10 ination, beautifully variegating the map of the post-  
11 war Europe, were, after all, merely stepping stones  
12 for Britain, France and America to gain world su-  
13 premacy. In other words, the so-called justice and  
14 humanity proved to be nothing more than a pretext  
15 for justifying their selfish standings.

16 "It is individualism, liberalism, and mater-  
17 ialism that have constituted the basis of Occidental  
18 civilization since the early period of modern times.  
19 They justified the act of 'the stronger prey on the  
20 weaker' unlimitedly increased the desires for pleas-  
21 ure, caused the pursuance of high material living,  
22 stimulated the acquisition of colonies and incited  
23 fierce competition in commerce. All these factors  
24 in turn became cause and effect reducing the whole  
25 world into veritable shambles and finally brought

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1 about that self-destruction of World War I.  
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1 "It is, therefore, of no wonder that soon  
2 after the end of the war fear for the possible  
3 downfall of Western civilization was cried by some  
4 of the Westerners themselves. While Britain,  
5 France and America were engrossed in their efforts  
6 to maintain their status quo, on one hand, a formi-  
7 dable movement for social revolution by class wars  
8 based on thoroughgoing materialism, such as Commu-  
9 nism was, on the other hand, being intensified.  
10 Again, in the meanwhile, Nazism and Fascism were  
11 being ushered into the world; the doctrine of  
12 racialism and totalitarianism in Germany and Italy  
13 being in the eliminating and reforming of the will  
14 occasioned by Individualism and Liberalism.

15 "The MANCHURIAN Incident was an outburst  
16 of our suppressed national life. This Incident  
17 with CHINA signifies Japan's step towards the  
18 creation of a moral world and the establishment  
19 of a new order in the eyes of the Powers. This  
20 is indeed a manifestation fo the spirit with  
21 which the eternal and sublime JAPANESE Empire  
22 was first established and an inevitable outburst  
23 of our national life that had been historically  
24 entrusted to us by the world.

25 "The amazingly brilliant national

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1   development and expansion of JAPAN gave rise to  
2   envy and jealousy on the part of the European and  
3   American nations, whose aspiration was to annex  
4   East Asia, and they, as a counter measure have  
5   tried to check our ever-enhancing national  
6   strength by laying economic pressure upon us,  
7   or scheming political disturbances, or planning  
8   Japan's international isolation. This action of  
9   theirs is no less an attempt to deprive East Asia  
10   of its independence, thus making it an eternal  
11   puppet in their own hands.

12                "With the increasingly strained situations  
13   on the Pacific, Japan's position in East Asia con-  
14   fronts a serious condition. To be more explicit,  
15   China, encouraged by the rigorous oppression of  
16   Japan by the European and American countries, in-  
17   duced them to accord their economic aid and at the  
18   same time sought a rapprochement with Russia.  
19   Exultant with her success, China then began to  
20   belittle Japan's national strength, and even to  
21   conceive the notion that Japan was easy to deal  
22   with, until she finally dared to trample on Japan's  
23   status in Manchuria which had been secured at the  
24   cost of our brethren's flesh and blood, thus con-  
25   stituting a menace to the lifeline of the Japanese

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1 Empire. This led to the outbreak of the MANCHURIAN  
2 Incident of September, 1931.

3 "In July, 1937, when a clash took place  
4 between JAPAN and CHINA at LUKOWKIAO, our country  
5 adopted a policy of solving the issue on the spot  
6 in the hope of localizing the affair for the sake  
7 of the peace and welfare of East Asia and waited  
8 patiently for CHINA'S self reflection. However,  
9 CHINA continued as ever before to belittle our  
10 actual strength, and eventually went so far as to  
11 develop the matter into an overall collision de-  
12 pending on the powers behind her; and thus the  
13 continent was shook by the bursts of the guns and  
14 a situation most regrettable for Asia was brought  
15 about. Now that things have come to this pass,  
16 there is nothing left for us to do but to proceed  
17 resolutely to fulfill the solemn mission entrusted  
18 to our Empire of establishing a New East Asia and  
19 to fulfill the firm determination to cut the Gordian  
20 knot once for all.

21 "....The position of our Empire as the  
22 leader of East Asia has hereby been made all the  
23 more fixed, and that the "Universal Benevolence" --  
24 the spirit with which our Empire was first set up  
25 should be the very idea underlying the establishment



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1 of a New Order in the world. This has been fully  
2 clarified.

3 "....That is to say, we must politically  
4 assist the countries within the co-prosperity  
5 sphere of Greater East Asia which have been colo-  
6 nized as the result of the Westerners' aggression  
7 in the East, so that these people may liberate  
8 themselves from the white man's domination and  
9 economically exterminate the Westerners' squeez-  
10 ing operations, and to establish a smooth self-  
11 supporting economic system based on the co-  
12 existence and co-prosperity principle; and, in the  
13 field of culture, instead of being a mere follower  
14 of Western civilization, enrich our Oriental cul-  
15 ture and contribute towards the creation of a  
16 righteous world culture.

17 "The work of establishing a New World  
18 Order has just taken a step in its course; a group  
19 of liberal democratic nations -- ardent supporters  
20 of maintaining the status quo -- are cooperating  
21 together in making desperate efforts to baffle  
22 our undertakings, and the colonies are still en-  
23 trapped in the illusion that they have to rely on  
24 the **Europeans** and Americans for their subsistence.  
25 To reach our set goal we have a long, long way to

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1 go yet, and the path we have to tread is by no  
2 means a broad level highway.

3 "The brilliant success that the Germans  
4 are achieving in the present war is not due only  
5 to their highly developed mechanized forces, but  
6 to the vigorous national spirit which in peace-  
7 time served as a mainstay and a mainspring of the  
8 armies, and to the fervent popular co-operation  
9 in national defense.

10 "And the guarding and maintaining of the  
11 prosperity of the Imperial Throne is the true ob-  
12 ject of strengthening the national total war  
13 system, and it is by the practice on the part of  
14 the people of their duties as loyal subjects  
15 according to their own means and abilities that  
16 this object can be attained. The Soviet Russia  
17 aims at world domination by Communism, and as a  
18 means to fulfill her object, she makes use of the  
19 strong power of class-dictatorship. As for Ger-  
20 many, she stands on the principle of blood and  
21 soil racialism stressing the frustration of the  
22 Anglo-Saxon's intentions to dominate the world  
23 and the subversion of the present condition of  
24 oppressed Germany. In order to carry out these  
25 purposes, Germany adheres to the principle of

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1 totalitarianism urging her people to give abso-  
2 lute obedience to, and have implicit confidence  
3 in Nazi dictatorship.

4 "As for our country, since the ancient  
5 times when NINIGI-NO-MIKOTO descended on the Land  
6 of Rice-plants to rule in accordance with the  
7 divine command given him by AMATERASU-OMIKAMI,  
8 it has been ruled over by an unbroken line of  
9 Emperors, and the subjects ever united in loyalty  
10 and filial piety have from generation to gen-  
11 eration assisted their Majesties' august under-  
12 takings. It is thus that the glory of the funda-  
13 mental character of our everlasting Empire shines  
14 brilliantly.

15 "We, the subjects venture to look up to  
16 the Imperial Household as our head family, and  
17 are enjoying the privilege of leading a one nation --  
18 one family life. There are, of course, other  
19 races who, in the past attracted by the benevolent  
20 influence of the Imperial rule, have come over to  
21 our country and served for the Emperors. These  
22 aliens under the august virtue of His Majesty,  
23 were all blessed with favors as an Imperial sub-  
24 ject and, in the course of time, fused into one,  
25 both spiritually and physically, and have dis-

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DIRECT

1 charged their duties as loyal subjects. His  
2 Majesty's virtue was broad and boundless, en-  
3 veloping the whole world and assimilating the  
4 whole of creation. The essence of one nation --  
5 one family was ever more realized, and our glorious  
6 nation where the Sovereign and his subjects are  
7 united as one has been as prosperous from age to  
8 age as heaven and earth are eternal.

9 "To be united in one body in serving the  
10 Emperor who loves us tenderly is the essential  
11 qualities of the subjects. This duty to faith-  
12 fully obey and serve the Emperor is the way for  
13 the subjects to follow. In the 17th Chapter of the  
14 Constitution of Shotoku-Taishi which begins with  
15 the precept that "Harmony is valuable ...."

16 "To begin with, in our country, loyalty  
17 comes before filial piety; loyalty is the great  
18 principle. We are parents and children in a family,  
19 and the parents and children are in turn subjects.  
20 Filial piety in our home must at the same time be  
21 loyalty. Loyalty and filial piety are one and in-  
22 separable. This is due to the nationality of our  
23 country, wherein exists characteristics in-  
24 comparable in other countries. In our country,  
25 from the very outset, the husband and wife have

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DIRECT

1 not been the unit of a family as in other western  
2 countries. The relation between parents and child-  
3 constituted the center of the home, and as a conse-  
4 quence, it is natural that filial piety is re-  
5 spected.



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1 "Imperial subjects in this new era must  
2 train themselves as subjects of this Empire. That  
3 is to say, by fully understanding the significance  
4 of our nationality, living on strong faith as subjects  
5 of our Empire, adhering to fidelity, excelling in  
6 clear-sightedness, training strong will and prime  
7 physical strength, cultivating practical ability,  
8 we must strive forward for the attainment of the  
9 historical mission of our Empire. This is the  
10 training we subjects of our Empire must go through. "

11 MR. McMANUS: At this time, if the Tri-  
12 bunal please, I make an objection to these excerpts  
13 being read into the record. I dare say that I or any  
14 one of the defense counsel, by taking half sentences  
15 and certain paragraphs from any book, could form a  
16 very excellent brief on behalf of the defendants.  
17 The document is in evidence. I am sure the Members  
18 of the Tribunal will read this and understand exactly  
19 what is here; however, my objection at this time is  
20 to having these excerpts read into the record in  
21 practically the form of a brief.

22 THE PRESIDENT: Well, Mr. McManus, you know  
23 the remedy. Tender the balance of the article.

24 MR. HAMMACK: (Reading): "Successive  
25 Emperors are descendants of the Founders of the

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1 Empire. The Founders and Emperors have the relation  
2 of parents and children, and the relationship of the  
3 Emperor and subjects is that of lord and retainers,  
4 but in feeling that of father and son. Gods and  
5 Emperors, Emperors and subjects, are really one body,  
6 wherein lies the foundation for the way of loyalty  
7 and filial piety as one and worship of God and re-  
8 spect for ancestors.

9 "Training for an Imperial subject, should  
10 be directed at the cultivation of the spirit to  
11 push forward with decision and bravery. What should  
12 be done, should be done with all willingness and  
13 what should not be done, should never be done. This  
14 spirit of practice must be based on the belief firmly  
15 settled in the fundamental character of our Empire.

16 "Since the very olden times it has been a  
17 customary practice with us to attach much importance  
18 to discipline, which constitutes one of the character-  
19 istic features of our education. The process of con-  
20 centrating teaching and learning in the "way" of per-  
21 fection is called training. BUSHIDO, for instance,  
22 has succeeded in manifesting its very soul by per-  
23 petual training day and night, especially from one's  
24 childhood. The same is true of KENDO, JUDO, archery,  
25

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1 tea ceremony, flower-arrangement, and other arts.  
2 It is only by actual training and practice that one  
3 can initiate one's self into the mysteries of the  
4 art. To cite another instance, BUDHISM was accepted  
5 in our country as a guard-the-nation doctrine, and  
6 was taken into our popular life as a means of foster-  
7 ing the virtues of loyalty and filial piety. With  
8 regard to CONFUCIANISM, a like attitude was also  
9 adopted. Therefore, in the case of Western sciences  
10 and arts, there should be no change in our attitude  
11 toward them. We, as an Imperial subject of the  
12 modern era, must fully appreciate the gravity of the  
13 duty with which we are entrusted, and faithfully  
14 follow the footsteps of our predecessors. Awake or  
15 asleep, at home or abroad, it should be our constant  
16 concern to train ourselves so that we may be capable  
17 of the task assigned to us as Imperial subjects and  
18 realize our services to the country.

19 "We, the subjects of the Empire, have been  
20 entrusted with the grave responsibility of supporting  
21 the Imperial prosperity eternally ever since the  
22 foundation of the Empire which took place long, long  
23 ago. This body and this mind ends in their devout  
24 service to the Emperor. Our forefathers have like-  
25 wise lived in the same duty and have handed it down

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DIRECT

1 to us. Our life is ours, and yet not ours. Con-  
2 sequently, our actual life itself is a thing at  
3 once solemn and historical. To be an independent  
4 man aside a subject is impossible; and, furthermore,  
5 apart from public affairs, there are no private  
6 affairs. The Emperor is the nucleus of our life,  
7 which can be made one worth living by our service  
8 to the state.

9 "What is commonly called private life lies  
10 after all in the performance of the duty of the sub-  
11 ject, and it holds its public significance in that  
12 it is the subject's work which in turn assists the  
13 Emperor with His august work. "As far as the heaven-  
14 ly clouds spread and as far as the waters extend,"  
15 so far is the land of the Mikado and so far are the  
16 subjects sheltered. Therefore, it is not permissible  
17 for anyone to indulge in self-will, thinking that  
18 one's private life has nothing to do with the state,  
19 and to do whatever he pleases.

20  
21 "In Japan, a family consists of one lineal  
22 linking of ancestry and descent and a combination of  
23 family members with the family head as its center.  
24 In other words, the Japanese family is built up around  
25 the head of the family with the relationship between



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DIRECT

1 parent and children playing an important  
2 part, and it differs from a Western family where  
3 the husband and wife are the nucleus. In the Japan-  
4 ese family, there is a clear distinction, a syste-  
5 matized order between family head and family, parent  
6 and child, husband and wife, brothers and sisters,  
7 both young and old, the dead forefathers are wor-  
8 shipped as if they were alive, and children yet to  
9 be born are associated in the eternity of the family  
10 as future members of the family. This is how lineal  
11 linking of ancestry and descent is realized. Further-  
12 more, the family is directly connected with the state.

13 "What primarily ought to be stressed in the  
14 family life is the spirit of reverence for the Gods  
15 and ancestor worship. These two ideas are a demon-  
16 stration of one's submission to the source of one's  
17 life. They are also the fundamental cause of our  
18 holding the family in high respect. Reverence for  
19 the Gods leads us through Gods to unite us to the  
20 Emperor.

21 "Reverence for the Gods and worship of the  
22 ancestors are acts of piety and this in turn arouses  
23 the feeling of thanks and gratitude, the virtue which  
24 safeguards one from becoming an individualist or an  
25 egoist. In the family where reverence for the Gods



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DIRECT

1 and ancestor worship are neglected, there is some-  
2 thing lacking in the spirit of juvenile home educa-  
3 tion, and from such a family no cultivation of  
4 national spirit can be expected. It is, therefore,  
5 essential that home life should have its basis  
6 placed on the original spirit of reverence for the  
7 Gods and ancestor worship as its daily guidance."

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1 THE PRESIDENT: That will do for the time  
2 being, Mr. Hammack. Is the balance of that article  
3 available to you or to the accused?

4 MR. HAMMACK: Sir?

5 THE PRESIDENT: Is the balance of the article  
6 available?

7 MR. HAMMACK: The entirety is in the volume  
8 offered in evidence, may it please your Honor, but  
9 the balance has not been translated.

10 MR. FURNESS: It has not been served on the  
11 defense. The only thing that has been served on us  
12 are these excerpts which are being read.

13 THE PRESIDENT: We are inclined to think  
14 that you should translate the untranslated part  
15 and serve that.

16 MR. HAMMACK: May I say this, may it please  
17 the Court: the translation problem is impossible.  
18 We have complied with the rules of the Court by  
19 serving upon counsel for the defense copies of the  
20 parts which we depend upon. We have made available  
21 to them the original. The prosecution cannot, as  
22 a physical possibility, translate half the docu-  
23 ments that we need, and to undertake to translate  
24 this whole document for the defense would put us in  
25 a position where we could not translate anything for

MAEDA

DIRECT

1 the prosecution. May I say this, your Honor, to im-  
2 press upon the Court how serious it is, some of the  
3 best documents we have we cannot put in evidence  
4 because we cannot get them translated in time. One  
5 of the books that this witness has mentioned we can-  
6 not put in evidence, because I do not think we can  
7 get it translated.

8 THE PRESIDENT: I want to make a remark at  
9 present; I want to ask some facts, if I can. It  
10 appears that you translated the parts that you in-  
11 tended to rely upon and served them.

12 MR. HAMMACK: That is correct, yes, sir.

13 THE PRESIDENT: That complies with the rule.

14 MR. HAMMACK: Yes, sir.

15 THE PRESIDENT: Well, now, the defense wants  
16 to rely on the untranslated. Who has the obligation  
17 of furnishing the translation of the untranslated  
18 part?

19 MR. HAMMACK: That is the obligation of the  
20 defense to provide their own translation.

21 MR. McMANUS: To put that burden on the  
22 defense as a proof is unnecessary.

23 THE PRESIDENT: There is such a thing as  
24 making a defense.

25 MR. WARREN: If the Tribunal please ---

MAEDA

DIRECT

1 THE PRESIDENT: Well, my brothers take the  
2 view also that the defense must translate the parts  
3 upon which they rely.

4 MR. BROOKS: If the Tribunal please --

5 THE PRESIDENT: There are too many standing  
6 up at the same time. We shall recess for fifteen  
7 minutes.

8 (Whereupon, at 1055, a recess was  
9 taken until 1110, after which the proceedings  
10 were resumed as follows:)

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1 MARSHAL OF THE COURT: The Tribunal is  
2 now resumed.

3 MR. LOGAN: If the Tribunal please, may I  
4 say a few words with respect to your last ruling?

5 THE PRESIDENT: You must accept it. It is  
6 not open to challenge. I do not know what you are  
7 going to say, but that is the ruling of the Court.

8 MR. LOGAN: May I be heard on this, your  
9 Honor?

10 THE PRESIDENT: Not with a view to having  
11 it changed, no; but you may suggest the difficul-  
12 ties that you have, and we may be able to meet them.

13 MR. LOGAN: May I point out the section  
14 of the rule to which I am referring?

15 THE PRESIDENT: No. We have read the  
16 rules.

17 MR. LOGAN: With respect to the difficul-  
18 ties of the defense, we are organized, we are meet-  
19 ing every night and appearing in court every day.  
20 We have approximately twenty translators as op-  
21 posed to, I understand, over two hundred for the  
22 prosecution. The assets of these accused are  
23 frozen. We cannot obtain the money to get more  
24 translators. On the other hand, the prosecution  
25 stated on June 3 that they were ready to proceed,



MAEDA

DIRECT

1 and they made a fervent plea that this case proceed  
2 on that day, and this Tribunal granted us a ten-day  
3 adjournment. The prosecution has been preparing its  
4 case, I understand, for the last seven months. They  
5 have presented a document here today of which, as we  
6 interpret the rules, they are supposed to offer an  
7 English translation of the entire document, and  
8 they have produced an English translation only of  
9 the excerpts.

10 Now, I would like to find out how the prose-  
11 cution could possibly have determined and chosen  
12 those excerpts unless they had the entire document  
13 completely translated into English.

14 THE PRESIDENT: One can readily conceive  
15 how they could single out what I might call the  
16 pertinent passages without making a written transla-  
17 tion of the whole.

18 I understand you to suggest that they must  
19 have a written translation of the whole. That would  
20 not follow.

21 MR. LOGAN: If the Tribunal please, I  
22 believe that Rule 6b, as amended on May 20, 1946,  
23 so provides.

24 THE PRESIDENT: We have considered that.  
25 It has not been overlooked but has been the subject

MAEDA

DIRECT

1 of much note-passing between Members of the Tribunal,  
2 if I may take you into our confidence to that effect.  
3 It has been considered.

4 But do not go away. We would like to thresh  
5 this matter out. You say you have grave difficulty  
6 in getting translations.

7 MR. LOGAN: Yes.

8 THE PRESIDENT: The prosecution says some of  
9 its most important documents must remain unrevealed  
10 to us because of translation difficulties. But  
11 translation difficulties can be overcome by the ex-  
12 penditure of money on both sides; and we expect it to  
13 be spent. We expect the best possible translation  
14 service to be available both to the prosecution and  
15 to the accused if this trial is to proceed in accord-  
16 ance with the terms of the Charter.

17 Able translators must be available in any  
18 number in this country.

19 We take it that you have received the whole  
20 book in pursuance of Rule 6b.

21 MR. LOGAN: Your Honor, we have not received  
22 it.

23 MR. HAMMACK: May I explain why, may it  
24 please the Court? They have not received copies,  
25 or another copy of that book, because I do not

MAEDA

DIRECT

1 believe there is another copy in existence. Those  
2 books were destroyed, and it was our good fortune  
3 to get them from Mr. MAEDA who retained two copies;  
4 one is this book, and the other one, the one which  
5 I have mentioned. I believe those to be the only two  
6 in existence, one which is in evidence, and the other  
7 one which I am trying to have translated.

8 THE PRESIDENT: We see no reason why full  
9 copies should not have been made because you have had  
10 that book in your possession for months. You have not  
11 contradicted that. I suggested you had, and you have  
12 not denied it.

13 Money is no consideration in this case. If  
14 money is a consideration in this case this trial may  
15 never conclude.

16 MR. HAMMACK: May I say this, your Honor. The  
17 original book is in evidence, available to the de-  
18 fendants and their counsel. And, as a practical  
19 matter, I see no reason why they should not have that  
20 book examined by one of their own translators for  
21 whatever comfort and aid they may be able to find  
22 therein.

23 THE PRESIDENT: There is no excuse for not  
24 carrying out 6b. None has been given. The only  
25 excuse that could be given would be time and expense,

MAEDA

DIRECT

1 and they are of no consideration here. The necessary  
2 services must be obtained at any cost.

3 We will stand the witness down for cross-  
4 examination until the whole book is available to the  
5 defense.

6 MR. JUSTICE MANSFIELD: If the Tribunal,  
7 please, the only portion of the book which is being  
8 introduced in evidence is the excerpt. We are not  
9 introducing the whole book into evidence, and, there-  
10 fore, under the rule it is only the document which  
11 we are putting in evidence, which, I submit respect-  
12 fully, is required to be used, to be copied. We may  
13 put in, in certain cases, the whole of a document and  
14 only rely particularly on certain parts; but where  
15 we only put in parts of a document in evidence,  
16 then I submit that under the rule we are only  
17 required to furnish a copy of the part of the doc-  
18 ument which we introduce in evidence. And we have,  
19 in fact, done that.

20 THE PRESIDENT: This is 6b, now, Mr. Justice  
21 Mansfield. I am not reading a lot.

22 "A copy of every document intended to be  
23 adduced in evidence by the prosecution or the defense  
24 will be delivered to the accused concerned or his  
25 counsel or to the prosecution ... Every such copy

MAEDA

DIRECT

1 shall have plainly marked thereon the part or  
2 parts upon which the prosecution or the defense,  
3 as the case may be, intends to rely . . ."

4 That suggests the whole document must be  
5 delivered, and every such copy shall be accompanied  
6 by a translation into English or into Japanese, as  
7 the case may be, of the said part or parts. But the  
8 whole document must be delivered. The limitation is  
9 on the translation only.

10 I can quite understand that in some cases,  
11 Mr. Justice Mansfield, the strict application of  
12 that rule, strict conformity with that rule, would  
13 lead to absurdities. The document may be an im-  
14 mense document containing a lot of matter wholly  
15 irrelevant, and you may have to give them the whole  
16 lot, a copy of the lot. But, however, in a case  
17 like that you should ask us to modify the rule, which  
18 we may do. Under the rules we can modify the rules.  
19 We will consider any application you may make to  
20 modify the rule in this case; and I am sure you will  
21 not make it.

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1 MR. JUSTICE MANSFIELD: If the Tribunal  
2 please, I submit that the rule is qualified by  
3 the statement that the document must be intended  
4 to be adduced in evidence. Now, a document can  
5 either be a whole of a book, or a whole of a se-  
6 ries of pages, or one page from a series. And,  
7 if we merely intend to adduce in evidence one  
8 page, then that is a document which is intended  
9 to be adduced in evidence. Secondly, there is  
10 the overall provision that: except as otherwise  
11 provided by the Tribunal.

12 Now, as far as this particular phase  
13 of the case is concerned, this preparation of  
14 Japanese opinion-for war by education, and so on,  
15 the books from which we take our document or our  
16 extracts are voluminous; there are very few  
17 copies of them to be obtained. And if we have  
18 to provide twenty-six copies of the original  
19 book in Japanese, then it will take us some con-  
20 siderable time before we are able to do that.

21 In the circumstances, if that is the  
22 Court's ruling with regard to this, I apply that  
23 the Tribunal shall rule that, provided the whole  
24 of the document is produced -- or the whole of  
25 the book is produced to the Court, only copies

MAEDA

DIRECT

1 of the parts which we have used in evidence shall  
2 be required to be copied and served on the ac-  
3 cused.

4 I ask the Tribunal to defer the final rul-  
5 ing on this matter until the full text of the docu-  
6 ments or the book upon which the prosecution  
7 relies can be put before the Tribunal. I have  
8 not them at my finger tips at the moment.

9 Furthermore, I will point out that the de-  
10 fense include American and Japanese counsel; and,  
11 if the original book is in Japanese, they are able  
12 apparently to read it. If it is in English, the  
13 American counsel can read it. So, there can be  
14 no reason for the delivery, I submit, of a copy  
15 to every Japanese and American counsel for the  
16 defense.

17 THE PRESIDENT: We reserve considera-  
18 tion of the whole matter, including a possible  
19 review of the rules.

20 If counsel for the accused desire that  
21 the witness stand down for cross-examination after  
22 they have had an opportunity of reading the whole  
23 of their book, we will accede to that.

24 MR. FURNESS: We have not got the books,  
25 sir. If there is one copy here we cannot all

ITO

DIRECT

1 READ IT AT ONCE, SIR.

2 THE PRESIDENT: I simply say, if you de-  
3 sire the witness to stand down for cross-examina-  
4 tion until you peruse the book, we would agree  
5 to your request.

6 MR. FURNESS: We do wish him to stand down.

7 (Whereupon, the witness was  
8 excused)

9 MR. DONIHI: If the Tribunal please,  
10 the witness ITO will next be called for the  
11 prosecution.

12 MARSHALL OF THE COURT: Mr. President,  
13 the witness ITO is now in court and will be sworn.

14 - - -

15 NOBUFUMI ITO, called as a witness on  
16 behalf of the prosecution, being first duly  
17 sworn, testified as follows:

18 DIRECT EXAMINATION

19 BY MR. DONIHI:

20 Q Will you state your name to the Tribunal,  
21 please?

22 A ITO, Nobufumi.

23 Q I hand you herewith a document and ask  
24 you if you have examined that document here-  
25 before.

ITO

DIRECT

1 A There are typographical errors.

2 Q Have you seen that document before, Mr.

3 ITO?

4 A Yes, I have.

5 Q Is that your affidavit?

6 A It is.

7 Q Will you state what typographical er-  
8 rors appear therein?

9 A The fourth line -- the fifth line of  
10 the second paragraph, "the Third KONOYE Cabinet"  
11 should read "the Second KONOYE Cabinet."

12 Q Is that the only typographical error  
13 which appears in the document?

14 A That is all.

15 Q With that exception, Mr. ITO, are all of  
16 the facts contained in that document true?

17 A It is as I have said.

18 Q Mr. ITO, do you understand English?

19 A Yes, I do.

20 Q Did you read that document when it was  
21 first prepared?

22 A Yes, I did.

23 Q That is, the English copy of that document.

24 A Yes, I did.

25 Q And was that English written copy trans-

ITO

DIRECT

1     lated to you in Japanese?

2             A     No, I have not yet seen the Japanese text.

3             MR. DONIHI: The prosecution, may it please  
4     the Tribunal, will next in order offer in evidence  
5     the affidavit of this witness, it being prosecution  
6     document No. 11506.

7             CLERK OF THE COURT: Exhibit No. 142.

8                     (Whereupon, the document above  
9     referred to was marked prosecution's  
10    exhibit No. 142 for identification.)

11            THE PRESIDENT: Admitted subject to  
12    correction, of course.

13                    (Whereupon, prosecution's exhibit  
14    No. 142 was received in evidence.)

15            MR. SMITH: Your Honor made the ruling  
16    before there was any opportunity to make any  
17    objection. I would like to point out that the  
18    affidavit, so called, contains practically nothing  
19    in the way of facts as I read it. It consists in  
20    the main of conclusions.

21            THE PRESIDENT: It is admitted for whatever  
22    probative value it has.

23            MR. DONIHI: This document has been marked  
24    "Exhibit No. 142."  
25



ITO

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(Reading)

1 "INTERNATIONAL MILITARY TRIBUNAL FOR THE FAR EAST  
2

3 THE UNITED STATES OF AMERICA, et al. }

4 - AGAINST - }

5 ARAKI, SADAO, et al. }

A F F I D A V I T

6 "I, ITO, Nobufumi, do swear on my conscience  
7 that the following is true:

8 "In 1936 the Commission of Information was es-  
9 tablished by the Government for the purpose of

10 determining whether or not propaganda might

11 properly be disseminated from a central organ

12 rather than through the individual ministries.

13 As a result of the Commission's findings the Bu-

14 reau of Information was established in 1936.

15 "In 1940 I became Chairman of the Bureau of

16 Information, which was later dissolved as the re-

17 sult of the establishment of the Board of Informa-

18 tion, of which I became the first president. The

19 Board of Information was established by the Third

20 KONOYE Cabinet and made a separate governmental

21 office with full powers to disseminate propaganda

22 for all ministries but leaving some powers within

23 the War and Navy Ministries to disseminate pro-

24 paganda and information on subject matter pecu-

25 liarly relating to military operations, plans

ITO

DIRECT

1 and strategic moves. The Board of Information  
2 officially began functioning late in December  
3 1940. Propaganda from all ministries cleared  
4 through the Board of Information and was dissem-  
5 inated to various newspapers, magazines, radio,  
6 motion pictures and all other media of public  
7 information. Censorship powers were also given  
8 the Board of Information, but for practical pur-  
9 poses the enforcement of all laws relating to  
10 censorship in all its forms was administered  
11 by the Police Bureau of the Home Ministry.

12 "In January of 1941 all publishers in Japan  
13 were organized into the 'Japanese Publisher's As-  
14 sociation', all book distributors were organized  
15 into the 'Japanese Book and Magazine Distri-  
16 butors Corporation', and all newspapers into the  
17 'Japanese Newspaper League'. The establishment  
18 of these organizations resulted in complete govern-  
19 ment control of all information media included within  
20 the respective groups. It was customary for  
21 the organizations named to consult with the pre-  
22 sident of the Board of Information before elect-  
23 ing officials to head such organizations and to  
24 receive the approval and suggestions of the Pre-  
25 sident of the Board of Information as to who these

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officials to be elected to such positions should be.

1       "Generally the propaganda disseminated through  
2 the office of the Board of **Information** was of such  
3 a nature in line with government policy as would  
4 tend to justify Japan's position in world affairs  
5 and in doing so prejudice the people of Japan  
6 against potential enemies such as the Unites States  
7 and Great Britian.  
8

9       "As President of the Board of Information, I  
10 was aware of the propaganda issued directly by  
11 the War Ministry, such propaganda as issued by the  
12 War Ministry being of an **inflammatory nature for the**  
13 purpose of preparing the **Japanese** people for war  
14 against the United States and Great Britian, pic-  
15 turing these nations as the great obstacle to  
16 Japan's progress in the Far East, and by this me-  
17 thod inflaming the people against the United  
18 States and Great Britian.

19       "As President of the Board of Information,  
20 in order to best keep myself advised of govern-  
21 ment policy in connection with my own official  
22 duties, I had the right to sit in on all Cabinet  
23 meetings but had no vote in the Cabinet."

24                       Signed "ITO, Nobufumi."  
25

ITO

DIRECT

1           LANGUAGE SECTION CHIEF: Mr. President,  
2 at this time I must inform the Tribunal that, in  
3 contradiction to the Tribunal's Rules of Procedure,  
4 6b (1), no Japanese copy of this affidavit was made  
5 available to this section, and consequently we are  
6 unable to give the Japanese translation thereof.

7           MR. DONIHI: I can only state to the Court  
8 that I had been previously advised by the persons  
9 in charge in our section that full distribution had  
10 been made in accordance with the rules. I regret  
11 sincerely that this has not been complied with.

12                   (Whereupon, a document was handed  
13 to the Language Section Chief.)

14           LANGUAGE SECTION CHIEF: Mr. President,  
15 we have now been supplied with such a copy and can  
16 now read the Japanese with the Tribunal's consent.

17           THE PRESIDENT: It is a pity you didn't  
18 ask the counsel now speaking before you made this  
19 report to us.

20           LANGUAGE SECTION CHIEF: Yes, sir.

21           MR. DONIHI: I have no objection for  
22 prosecution, your Honor.

23           Defense may take the witness.

24           THE PRESIDENT: Dr. KIYOSE.  
25

ITO

CROSS

## CROSS EXAMINATION

1  
2 BY DR. KIYOSE:

3 Q When did you become President of the  
4 Board of Information, and when did you resign?

5 A I was appointed to that position some  
6 time in December, 1940, and I remained in the same  
7 up to the 18th of November, 1941.

8 MONITOR: Correction: Not "I was  
9 appointed," but "I was appointed until that period."

10 LANGUAGE SECTION CHIEF: Further correction:  
11 "November" should read "October."

12 Q A very important statement in your  
13 affidavit says that the War Ministry disseminated  
14 propaganda prejudicing the people of Japan against  
15 potential enemies such as the United States and  
16 Great Britain. But, from when was this propaganda  
17 begun?

18 A As far as I understand, that kind of  
19 propaganda was conducted from May or June, 1941 up  
20 to the time I resigned from the post.

21 Q Did you, yourself, as President of the  
22 Board, do this propaganda, or did you cause others  
23 to do this?

24 A As you can see in my affidavit, I only  
25 recognized that I know of the existence of such



ITO

CROSS

1 propaganda and was not responsible for conducting  
2 such propaganda myself nor ordering other people  
3 to do so.

4 Q However, in your affidavit you say that  
5 propaganda was cleared through the Board of Infor-  
6 mation. If it was not you who did this, who was it  
7 that did this?

8 THE MONITOR: Correction: Either you had  
9 to do it or your subordinates had to do it. If it  
10 went through the Board of Information, it had to be  
11 that way.

12 A As it is stated in my affidavit, the Board  
13 of Information was not given the full right to con-  
14 duct the propaganda. Matters such as matters con-  
15 cerning military or matters concerning the Supreme  
16 Command were excluded from the powers of the Board  
17 of Information.

18 Q In the third paragraph before the end of  
19 your affidavit you say that "Generally the propaganda  
20 disseminated" et cetera, and there is no mention  
21 made of the Supreme Command or any other such thing.

22 A As it was a governmental office, it in-  
23 cluded everything that a government could do. The  
24 propaganda that I referred to in paragraph three  
25 meant, in my opinion, all the propaganda that the

ITO

CROSS

1 government could conduct at that time and not which  
2 do not include items which are not allowed for the  
3 government. The Cabinet at that time did not have --  
4 the government itself did not have the right to  
5 decide on matters of military command -- military  
6 operations and Supreme Command.

7 THE PRESIDENT: The Court will now recess  
8 until thirty minutes after one.

9 (Whereupon, at 1200, a recess was  
10 taken.)  
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## AFTERNOON SESSION

1  
2  
3 The Tribunal met, pursuant to recess,  
4 at 1330.

5 MARSHAL OF THE COURT: The International  
6 Military Tribunal for the Far East is now resumed.

7 THE PRESIDENT: The conditions of heat in  
8 this courtroom are causing great discomfort to  
9 one of my colleagues who will decline to sit if  
10 this lighting is continued at its present intensity.  
11 I want those lights to be reduced to a minimum.

12 Dr. KIYOSE.

13 DR. KIYOSE: With the Court's permission,  
14 I shall continue the morning's cross-examination.  
15

16 - - -

17 N O B U F U M I I T O , called as a witness on  
18 behalf of the prosecution, resumed the stand  
19 and testified as follows:

20 BY DR. KIYOSE (Continued):

21 Q In the third paragraph of this affidavit  
22 the witness has stated that powers were left to the  
23 War and Navy Ministries to disseminate propaganda  
24 and information on subject matter peculiarly relat-  
25 ing to military operations, plans, and strategic  
moves.

ITO

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1           A The question is not clear. May I have it re-  
2           peated?

3           Q You have, concerning the powers of the Board  
4           of information -- you have stated that matters con-  
5           cerning military operations, plans, and strategic  
6           moves were not within the power of the Board of In-  
7           formation, and were left to the War and Navy Minis-  
8           tries, is that correct?

9           A It is correct.

10          Q However, in the fourth paragraph you state:  
11          "Generally the propaganda disseminated through the  
12          office of the Board of Information was of such a  
13          nature in line with government policy as would tend  
14          to justify Japan's position in world affairs and in  
15          doing so prejudice the people of Japan against po-  
16          tential enemies such as the United States and Great  
17          Britain."

18          If this is correct, it must follow that it was  
19          within your power to disseminate such propaganda,  
20          that is, propaganda against potential enemies such  
21          as the United States and Great Britain. What is  
22          your interpretation of the above paragraph?

23          A The meaning of what I set forth in my affi-  
24          davit is that the Board of Information functioned  
25          within specially circumscribed limits, and that

ITO

CROSS

1 it was to interpret and to defend Japanese policy  
2 in the light of the world situation, and I so  
3 stated that, objectively viewed, such a result  
4 came about with respect to so-called potential  
5 enemies."

6 Q Did you do this on your own responsibility?

7 A May I make this distinction: That this  
8 was the result of the policy and not what I had  
9 intended to do.

10 Q Did you believe that the United States and  
11 Great Britain were "potential enemies"?

12 A At that time I did not think so, but it was  
13 possible to think that such a result would follow  
14 such a policy.

15 Q During your tenure as President of the  
16 Board of Information, that is, from the end of 1940  
17 to October of 1941, our country was continuing  
18 negotiations with the United States through Amba-  
19 sadors NOMURA and KURUSU. We cannot believe that  
20 while these negotiations were going on we, as Presi-  
21 dent of the Board of Information, could pursue such  
22 a policy as would result in making potential ene-  
23 mies of the United States and Great Britain. Do you  
24 have any explanation to give of this?

25 THE MONITOR: Correction: From the end of



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1940 until October, 1941.

1           A That requires some explanation, and I shall  
2 make it briefly. At that time, during my tenure of  
3 office, my task, as President of the Board of Infor-  
4 mation, was to give publicity to the national policy,  
5 of Japan. It was as a result of that national  
6 policy, if viewed objectively, that such a situa-  
7 tion was brought about, that is, to consider the  
8 United States and Great Britain as potential ene-  
9 mies.  
10

11           THE MONITOR: Correction: And as the  
12 President of the Board it was my task to let the  
13 world know that policy.

14           Q When the Board of Information disseminated  
15 propaganda abroad and at home, did it not do so in  
16 accordance with a policy already drawn up?

17           A Such a plan or policy sometimes has been  
18 made and sometimes not made. It has not always  
19 followed a fixed rule.

20           Q When such a plan or policy was made up,  
21 who was responsible for it?

22           A When made, it would be the responsibility  
23 of myself, the President of the Board.

24           Q Then, did you admit that these policies  
25 drawn up under your responsibility succeeded in

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CROSS

1 making America and Great Britain potential ene-  
2 mies at a time when relations with these two coun-  
3 tries were extremely delicate?

4 A As I have said before, when an outline of  
5 policy or a plan of policy has been made, it has  
6 not been made with the idea of making of the United  
7 States and Britain potential enemies, but such a  
8 result came about as a result of the policy.

9 THE MONITOR: Correction: When this was  
10 carried out.

11 Q "To justify Japan's position in world af-  
12 fairs, we are doing so to prepare the people of  
13 Japan against enemies such as the United States  
14 and Britain." Then what you say now is very dif-  
15 ferent from what you have said in your affidavit.  
16 In the English text of the affidavit, it is  
17 written "in line with government policy as would  
18 tend to justify Japan's position in world affairs  
19 and in doing so prejudice the people of Japan  
20 against potential enemies such as the United States  
21 and Great Britain." Do you now support what you  
22 wrote in your affidavit, or do you take it back?

23 A What I have written is as set forth in the  
24 affidavit. If my explanations do not coincide with  
25 that, it might be proper to make such revisions or

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CROSS

1 modifications, but I wish to state at this time  
2 that when I wrote the affidavit it was with what  
3 I have already said in mind.

4 Q Since you say that what is in this affi-  
5 davit is the meaning of what is in this affidavit ,  
6 it is not as would appear from the words, but as  
7 you have just interpreted them now, I shall ac-  
8 cept that explanation and proceed to my next  
9 question.

10 You have said; that propaganda, such as would  
11 result in making England and America enemies. Just  
12 what kind of propaganda do you mean by this?

13 A That relates to the question of the con-  
14 struction of the Co-prosperity Sphere.

15 Q Mr. ITO, the phrase "Co-prosperity Sphere"  
16 was not yet used in 1941. Has your memory played  
17 tricks with you?

18 A If my memory is correct, I think the term,  
19 "Co-prosperity Sphere," began to be used from about  
20 August, 1940, at the time of the installation of  
21 the second KONOYE Cabinet, and because of that,  
22 this phrase gained currency during my tenure of  
23 office.

24 Q As it is I that I am questioning you, I  
25 shall say no more on the subject, but the word

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1 actually used by the Board of Information was the  
2 construction of the new order in East Asia, and  
3 not the construction of the Co-prosperity Sphere.  
4 I shall now turn to my next question.

5 A May I say that the term, "Co-prosperity  
6 Sphere," was not coined by the Board of Informa-  
7 tion, but the term began to be used as an expres-  
8 sion of the policy of the second KONOYE Cabinet.

9 Q Have you disseminated any other propa-  
10 ganda which would result in making enemies of  
11 Great Britain and the United States?

12 A When I wrote the affidavit I was thinking  
13 only of that question.

14 Q Of course, the idea of the construction of  
15 the Co-prosperity Sphere would be very different  
16 from idea held in the United States and in Britain,  
17 but would such an idea result in making our people  
18 think of the United States and Great Britain as  
19 enemies?

20 A That is a way of thinking. I can't say  
21 one way or the other. That depends on a person's  
22 private interpretation.

23 Q If I remember your propaganda, in those  
24 days you said that Japan intended to construct a  
25 new order in East Asia. She was perfectly willing

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1 for Great Britain and the United States to make  
2 a democratic world of their own in their own sphere,  
3 and in Russia and in Europe, and that Russia and  
4 the countries of Europe should live in their own  
5 world, in accordance with their own history and  
6 culture, and that the idea of the Co-prosperity  
7 Sphere was not to make enemies of the United States  
8 and of Russia, but to enable each nation to have  
9 its own place in the sun.

10 A It is as you have just explained. In  
11 carrying out that policy we did not consider the  
12 United States or Britain as potential enemies; but,  
13 because of the prevailing objective situation,  
14 such a situation or such a question developed.  
15 That is because the idea of the Co-prosperity  
16 Sphere was not approved of or supported by the  
17 United States or Britain.

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Q You have just said that your propaganda which resulted in making enemies of Great Britain and America had as its real objective no such purpose but was simply the construction of a new order or a Co-prosperity Sphere in East Asia. As I think this is a very important point I would like you to repeat your answer; that is, can you definitely affirm that the purpose of the construction of the Co-prosperity Sphere was not to make enemies of England, America, the Soviet Union and China, but rather to be friends with them?

A As I have frequently explained and now that I have been asked again to answer, I shall repeat that the motive or the desire or the purpose of the publicity given to the idea of the Co-prosperity Sphere was to give effect to the theme, to give every nation and people their proper place in the sun. Its intention, I say definitely, I affirm definitely, was not at all to make potential enemies of any country.

THE MONITOR: Correction: "Great Britain and United States."

Q Then I shall go to the next problem. You say that questions covering the Supreme Command -- questions covering information regarding the Supreme

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1 Command were outside the scope of the Board of  
2 Information but just what type of information do  
3 you mean by this?

4 A As I have written down in my affidavit,  
5 the items which were outside the jurisdiction of the  
6 Board of Information related to "military operations,  
7 plans and strategic moves." However, there were  
8 other items besides that.

9 Q Then since you say it was information per-  
10 taining to military operations, plans and strategic  
11 moves, matters of policy then do not come under this  
12 scope, do they?

13 A That depends upon the interpretation of  
14 the term "policy." I should like to know what your  
15 interpretation of "policy" means. Upon your inter-  
16 pretation, I may have something to say.

17 Q Then I shall reframe my question. By matters  
18 pertaining to the Supreme Command, I understand you  
19 to mean military operations and information regarding  
20 the result of battles. For instance, any future moves  
21 our country or our army might make were not covered  
22 within this limit, or were they?

23 A Relative to future actions if they are  
24 related to military matters, they, of course, would  
25 come under the same category.

ITO

CROSS

1 Q I was not questioning you on that. My  
2 question was that in reality and not in theory,  
3 did not the Supreme Command cover items other than  
4 mere military moves and results of battles?

5 A As your question itself puts it, when I  
6 mentioned military moves, et cetera, I meant that  
7 the "et cetera" part of it would also cover those  
8 items.

9 Q Then I would like to hear if in reality  
10 there is any example of the Board having disseminated  
11 any information regarding such future moves by the  
12 army or by the state?

13 A In my recollection there are none.

14 Q One last question. Did you write this  
15 affidavit in English or in Japanese?

16 A I replied to the affidavit in English.

17 Q Then in the third paragraph of your affidavit  
18 you have said that "laws relating to censorship" were  
19 "administered by the Police Bureau of the Home Min-  
20 istry." What do you mean by this in Japanese?

21 A By that I mean the Police Bureau of the  
22 Ministry of Home Affairs.

23 DR. KIIYOSE: Mr. President, the Japanese text  
24 of this affidavit, instead of giving the term "Police  
25 Bureau" has the term "Metropolitan Police Board."

ITO

CROSS

1 Q Well, putting that matter aside, this  
2 question of censorship by the Police Bureau was  
3 administered in reality by the Fourth Section of  
4 your own Bureau and was even housed in the same  
5 building as yourself?

6 A It is as you say.

7 Q Then you cannot disclaim responsibility  
8 for matters relating to censorship either, can you?

9 A I cannot say that I am completely not  
10 responsible. However, I should like to say that it  
11 was not a matter under my own charge.

12 Q I did not hear the first part of your  
13 answer.

14 THE PRESIDENT: Get it from the shorthand  
15 reporter.

16 INTERPRETER: To which Mr. ITO replied again  
17 in the same words he had given before.

18 THE PRESIDENT: Give it to him in Japanese.

19 INTERPRETER: Mr. President, the question was  
20 solved.

21 THE PRESIDENT: All right. Any further cross-  
22 examination?

23 MR. YAMAOKA: Mr. President, no further cross-  
24 examination by American counsel.

25 THE PRESIDENT: That will do, witness.

ITO  
IKESHIMA

CROSS  
DIRECT

1 Do you want to re-examine him?

2 MR. DONIHI: No, your Honor, the prosecution  
3 does not desire to re-examine the witness.

4 (Whereupon, the witness was  
5 excused.)

6 MR. DONIHI: Next in order, may it please  
7 the Tribunal, the prosecution desires to have the  
8 witness OGATA called.

9 May it please the Tribunal, this witness  
10 is not present in the witness room and the prosecution  
11 will examine first the witness IKESHIMA.

12 - - -

13 S H I G E N O B U I K E S H I M A, called as a  
14 witness on behalf of the prosecution, being  
15 first duly sworn, testified as follows:

16 DIRECT EXAMINATION

17 BY MR. DONIHI:

18 Q Will you state your name to the Tribunal,  
19 please?

20 A IKESHIMA, Shigenobu.

21 Q I hand you herewith an affidavit, a document,  
22 and ask you if you can identify that as your affi-  
23 davit?

24 A I confirm this affidavit as my own.

25 Q Do you read English, Mr. IKESHIMA?



IKESHIMA

DIRECT

1 A I can read but I cannot speak English.

2 Q In reading this affidavit, the English in  
3 this affidavit, were you able to determine the con-  
4 tents thereof?

5 A I could understand.

6 Q And are all of the statements contained  
7 therein true and correct?

8 A I think they are accurate.

9 Q Before signing this affidavit, was it first  
10 translated from English into Japanese for you?

11 A I had it so translated.

12 Q Were the facts as translated to you true and  
13 correct?

14 A It was not translated to me in writing but  
15 in speech. From what I heard, the contents were ac-  
16 curate.

17 MR. DONIHI: May it please the Tribunal, the  
18 prosecution will next in order ask to introduce the  
19 affidavit of this witness.

20 THE PRESIDENT: Admitted.

21 (Whereupon, prosecution's exhibit  
22 No. 143 was received in evidence.)

23 MR. DONIHI: "International Military Tribunal  
24 for the Far East --" May I have the exhibit number,  
25 please?

IKESHIMA

DIRECT

1 CLERK OF THE COURT: 143.

2 MR. DONIHI: (Reading)

3 "INTERNATIONAL MILITARY TRIBUNAL FOR THE FAR EAST

4 THE UNITED STATES OF AMERICA, et al.)

5 - AGAINST -

6 ARAKI, SADAO, et al.)

) A F F I D A V I T  
)  
)

7 "I, IKESHIMA, Shigenobu, do swear on my con-  
8 science that the following is true:

9 "I am presently a Professor at Hosei University  
10 and in such capacity teach Cultural Politics, which  
11 subject relates to the history of civilization. I  
12 have been engaged in teaching this subject for the  
13 past year, and previous thereto was engaged in teach-  
14 ing language.

15 "I was educated in the schools of Japan, begin-  
16 ning with the elementary schools and finishing with  
17 the university. As a student in the Japanese schools,  
18 and later as a professor, I am familiar with the var-  
19 ious subjects that were taught from the elementary  
20 schools up to and including the universities. There  
21 was some military training in the lower grade schools  
22 following the Japanese-Chinese War of 1896. In 1922  
23 following the demobilization of some of the Japanese  
24 Army, regular Army officers were sent by the War Min-  
25 istry to the various schools to teach military training

IKESHIMA

DIRECT

1           CLERK OF THE COURT: 143.

2           MR. DONIHI: (Reading)

3           "INTERNATIONAL MILITARY TRIBUNAL FOR THE FAR EAST

4           THE UNITED STATES OF AMERICA, et al.)

5                 - AGAINST -

6           ARAKI, SADAIO, et al.)

  ) A F F I D A V I T  
  )  
  )

7                 "I, IKESHIMA, Shigenobu, do swear on my con-  
8                 science that the following is true:

9                 "I am presently a Professor at Hosei University  
10                 and in such capacity teach Cultural Politics, which  
11                 subject relates to the history of civilization. I  
12                 have been engaged in teaching this subject for the  
13                 past year, and previous thereto was engaged in teach-  
14                 ing language.

15                 "I was educated in the schools of Japan, begin-  
16                 ning with the elementary schools and finishing with  
17                 the university. As a student in the Japanese schools,  
18                 and later as a professor, I am familiar with the var-  
19                 ious subjects that were taught from the elementary  
20                 schools up to and including the universities. There  
21                 was some military training in the lower grade schools  
22                 following the Japanese-Chinese War of 1896. In 1922  
23                 following the demobilization of some of the Japanese  
24                 Army, regular Army officers were sent by the War Min-  
25                 istry to the various schools to teach military training

IKESHIMA

DIRECT

1 and subjects. This military training and teaching  
2 did not require very much school time of the students  
3 until 1925 when such training and teaching commenced  
4 to absorb more school time up to and until the Man-  
5 churian Incident. Following the Manchurian Incident,  
6 time devoted by the students to military training and  
7 teaching dropped a little until 1936 when this sub-  
8 ject again became important and more time of the  
9 student was devoted to these subjects. This mil-  
10 itary training program consisted of drilling, physi-  
11 cal culture exercises, war games, and textbooks used  
12 in the schools to arouse patriotism in the students,  
13 and which textbooks were devoted to the subjects of  
14 wars that Japan had been in, and battles.

15 "Preceding the Manchurian Incident there were  
16 attempts made to oppose the military program in the  
17 schools on the part of some of the students and  
18 teachers, but after the Manchurian Incident the  
19 ultra-nationalistic and militaristic spirit teaching  
20 came to the front. Shortly before the Manchurian  
21 Incident the students were taught that Manchuria was  
22 the lifeline of Japan and that control of Manchuria  
23 was necessary to establish a stable economic order.

24 "After the China Incident, because of pressure  
25 from the War Ministry, ultra-nationalistic and

IKESHIMA

DIRECT

1 "militaristic thoughts were inculcated in the stu-  
2 dents under the supervision of the military in the  
3 schools. In 1937 when Marquis KIDO was Minister of  
4 Education, the school system was reorganized and more  
5 school time was devoted to military training and  
6 teaching of military subjects, this training and  
7 teaching becoming even more important when General  
8 ARAKI succeeded Marquis KIDO as Minister of Education.  
9 Beginning in the early part of 1941, the students  
10 were taught that the future (failure) of the Japan-  
11 ese Army to conquer China was because of the assis-  
12 tance which the United States and Great Britain were  
13 rendering China, the students being impressed with  
14 the idea that for this reason the great enemy of  
15 Japan was not China but the United States and Great  
16 Britain.



IKESHIMA

DIRECT

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1 "Previous to assuming my professorship at  
2 Hosei University, that is from April 1935 until  
3 March, 1938, I was engaged as an employee of the  
4 Japan Broadcasting Corporation. The Japan Broad-  
5 casting Corporation was controlled by the government  
6 through the Ministry of Communications. Such method  
7 of control was one of censorship which was effected  
8 by the Ministry of Communications by the require-  
9 ments that all broadcasting scripts be first censored  
10 in the Ministry of Communications before released  
11 to the public. Such censorship has been in effect  
12 since 1925 when the Japan Broadcasting Corporation  
13 was formed. It was the custom and policy of the  
14 corporation and the Japanese government alike to have  
15 officials of the various ministry make broadcasts  
16 on matters of policy relating to said ministries,  
17 this practice being followed by the War Ministry  
18 most frequently.

19 "All persons in Japan were forbidden to own  
20 or have in their possession short-wave radio sets  
21 or to listen to foreign broadcasts. The Japan Broad-  
22 casting Corporation was and is the only broadcasting  
23 system in Japan.

24 "In 1940 when the Board of Information was  
25 established, the Japan Broadcasting Corporation was

1 advised by said Board of Information as to what in-  
2 formation might be released to the public and as to  
3 the manner in which such information should be treated.

4 "During the time that I was employed by the  
5 Japan Broadcasting Corporation, I listened to many  
6 broadcasts made by officials of the War Ministry,  
7 these broadcasts all being of a propaganda nature.  
8 Following the China Incident in 1937, broadcasts  
9 made by officials of the War Ministry to the Japan-  
10 ese public were all of such a nature as to explain  
11 and justify Japan's position in connection with  
12 China."

13 Signed: "IKESHIMA, Shigenobu."

14 The defense may cross-examine.

15 MR. BROOKS: There is a question on that  
16 record, Mr. President. The reading in paragraph  
17 five, the word "future" I think was read instead of  
18 the word "failure." The word is "failure" of the  
19 Japanese Army instead of the "future."

20 THE PRESIDENT: That is noted.

21 MR. HOZUMI: If the Court please, I should  
22 like to have a very short cross-examination. My  
23 point is only one.  
24  
25

IKESHIMA

CROSS

## CROSS-EXAMINATION

1  
2 BY MR. HOZUMI:

3 Q In your affidavit you state in 1937, when  
4 Marquis KIDO was Minister of Education, the school  
5 system was reorganized and more school time was  
6 devoted to military training and teaching of military  
7 subjects. Is this something of which you yourself  
8 were directly informed?

9 A At that time I was in the Broadcasting Cor-  
10 poration of Japan but, I was not informed of that  
11 directly.

12 Q Why, then, have you testified to facts  
13 which you did not hear directly?

14 A At that time I was attached to the cultural  
15 section of the broadcasting company, and such infor-  
16 mation was brought to my attention.

17 Q Then can I consider this part is hearsay  
18 evidence?

19 A Yes, you may view it as such.

20 Q Then in this hearsay evidence you have said  
21 that more school time was devoted, et cetera. Just  
22 how many hours was this school time increased?

23 A I don't recall exactly.

24 Q Then don't you also know what type of military  
25 subjects were increased?

IKESHIMA

CROSS

1           A    According to my recollection, I feel as  
2 I heard that field exercises and maneuvers were  
3 increased.

4           Q    That is also something which you heard  
5 from other people, isn't it?

6           A    Yes. That is correct.

7           MR. HOZUMI: Thank you.

8                   CROSS EXAMINATION (Continued)

9 BY MR. FURNESS:

10          Q    Mr. IKESHIMA, I assume that you had, before  
11 signing this affidavit, several interviews with the  
12 prosecution. Is that correct?

13          A    I have.

14                   (Whereupon, MORI, Tomio replaced  
15 OKA, Takashi as interpreter.)

16          Q    You were asked questions in English or in  
17 Japanese?

18          A    The questions were put to me in English and  
19 then translated through an interpreter.

20          Q    Then, at those interviews there were present  
21 an interrogator who asked you questions in English  
22 and an interpreter who interpreted it into Japanese.  
23 Was there also a stenographer who took down your  
24 answers?

25          A    That is correct.

IKESHIMA

CROSS

1 Q Were you at any time shown a copy of the  
2 questions and answers in writing?

3 A I read it only at the time I signed the  
4 affidavit.

5 Q The affidavit is not in question and answer  
6 form. Were you ever shown any paper which had on  
7 it the questions which were asked you and the answers  
8 which you, yourself, gave?

9 A No, no.

10 Q Then subsequent to these interviews at which  
11 you were asked questions and gave answers, there was  
12 prepared for your signature this affidavit. Is that  
13 correct?

14 A Yes.

15 Q Was it first presented to you in draft  
16 form or as a finished document?

17 A As a final or complete or official docu-  
18 ment.

19 Q Then this affidavit that you signed is not  
20 in your own words but in the words of the prosecution  
21 who presented it to you. Is that correct?

22 A Before affixing my signature to the docu-  
23 ment, the contents therein was explained to me, and  
24 I was told that if there were any points to be  
25 changed or corrected that I was free to do so. However,



IKESHIMA

CROSS

1 as there were no parts requiring revision, I approved  
2 of it as a summary of what I had wished to say.

3 Q But, regardless of whether it was the truth  
4 or not, the wording of this affidavit is the wording  
5 of the person who drafted it and presented it to you.  
6 Is that correct?

7 MR. DONIHI: If your Honor please, I can  
8 see no possible good to come of an answer in either  
9 direction. No matter what the witness may say in  
10 answer to that question there can be no enlightening  
11 material or anything of benefit to the Court, and it  
12 is an offensive type of question.

13 THE PRESIDENT: The purpose is to show that  
14 the answers were obtained by leading questions which  
15 would not have been allowed in Court. That goes to  
16 diminish the value of the affidavit, and the defense  
17 are entitled to get anything they can out of the  
18 witness in that regard.

19 MR. FURNESS: Has he answered? If he wants  
20 the question read back, I will request --

21 THE WITNESS: Please.

22 (Whereupon, the last question was  
23 repeated by the interpreter.)

24 A That I do not admit; that I do not acknowledge.

25 Q But it is true that you did not draft this

IKESHIMA

CROSS

affidavit. Is that correct?

A That I do acknowledge.

Q Were you told by the interrogator at these interviews what information he was seeking from you?

A Yes, I heard.

Q And you gave that information. Is that correct?

A That, I think, is correct.

THE PRESIDENT: I suggest it is not worth following this up to any great extent, Major.

MR. FURNESS: I have one more question, sir.

Q Did you give the interrogator any information, in answer to their questions, which is not included in this affidavit?

A I haven't given anything outside of the facts which are mentioned in the affidavit.

MR. FURNESS: That is all.

THE PRESIDENT: We will recess now for fifteen minutes.

(Whereupon, at 1450, a recess was taken until 1505, after which the proceedings were resumed as follows, Japanese into English and English into Japanese interpretation being made by OKA, Takashi and TSUCHIYA, Jun, Lanny Miyamoto acting as Monitor:)

IKESHIMA

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1 DEPUTY MARSHAL OF THE COURT: The Interna-  
2 tional Military Tribunal for the Far East is now  
3 resumed.

4 THE PRESIDENT: Dr. KIYOSE.

5 DR. KIYOSE: I have one simple question to  
6 ask.

7 CROSS-EXAMINATION (Continued)

8 BY DR. KIYOSE:

9 Q In this affidavit you have said that in  
10 1938 you were working in the Japan Broadcasting  
11 Corporation until 1938, and that from 1938 you re-  
12 signed and became a professor at Hosei University,  
13 is that correct?

14 A I did not go to Hosei University immediate-  
15 ly after my resignation.

16 Q Is that so? In any case, you did resign  
17 from the broadcasting corporation in 1938, didn't  
18 you? In your affidavit, in the second paragraph  
19 before the last paragraph, you say:

20 "In 1940 when the Board of Information was  
21 established, the Japan Broadcasting Corporation was  
22 advised by said Board of Information as to what  
23 information might be released to the public and as  
24 to the manner in which such information should be  
25 treated."

IKESHIMA

CROSS

1 Is that correct?

2 THE MONITOR: 1940, two years later, 1940.

3 A As I recall, the Board of Information was  
4 established in December, 1940. After that, in the  
5 field of radio broadcasting the policy changed from  
6 that of passive control or supervision to that of  
7 positive guidance. Of this I heard directly from  
8 the personnel working in the broadcasting corpora-  
9 tion as well as from various reading matter.

10 Q Then, since this is already two years after  
11 you resigned from the Japan Broadcasting Corporation,  
12 all this information is what is known among lawyers  
13 as hearsay, is that not so?

14 A It is so.

15 Q How old are you?

16 A I am 43.

17 Q In the third paragraph of your affidavit you  
18 say that there was some military training in the low-  
19 er grade schools following the Japanese-Chinese War  
20 of 1896. This, then, would be when you were still  
21 a very small baby, and this also, then, is something  
22 that you have heard from other people; is that not  
23 so?

24 A It is knowledge based upon written material.

25 Q From what did you study this?

IKESHIMA

CROSS

1           A    Primary school textbooks in use at the time  
2 I was going to the primary school.

3           Q    Primary school textbooks, did you say?

4           A    Yes.

5           Q    Is there any mention made of military train-  
6 ing in secondary schools and in lower schools in  
7 these textbooks you mention? ?

8           A    The word "military training" has been  
9 mentioned, and that was interpreted to be the  
10 disciplining of marshal thought or military train-  
11 ing of very ancient origin, as in use from very an-  
12 cient times.

13          Q    After the Sino-Japanese War, the term  
14 "military training" was used only in schools above  
15 middle schools, and this term was not used in  
16 grade schools. However, you say that you have  
17 studied these facts in textbooks used in grade  
18 schools. How can you say such a thing? You may  
19 correct your previous statement if you wish to.

20          A    To explain myself, in primary school text-  
21 books and also in teaching material quite a large  
22 portion of such materials are devoted to such sub-  
23 jects as the story of military heroism.

24          Q    Then, do you correct your previous state-  
25 ment that you know that military training was --



IKESHIMA

CROSS

1 there was military training in grade schools from the  
2 lower school textbooks?

3 A I shall correct myself in the statement in  
4 which I said that I had obtained such knowledge from  
5 textbooks in my primary school years.

6 DR. KIYOSE: That is all I have to say.

7 THE PRESIDENT: Mr. McManus.

8 MR. McMANUS: If the Tribunal pleases, I  
9 shall endeavor to be very brief.

10 CROSS-EXAMINATION (Continued)

11 BY MR McMANUS:

12 Q Mr. IKESHIMA, I note that you say after  
13 the China Incident, because of the pressure of the  
14 War Ministry, military training became more inten-  
15 sive. Now, besides this pressure, were not the  
16 policies for this training formulated and set by  
17 the War Ministry?

18 A Do you mean the China Incident?

19 Q I beg your pardon?

20 A Do you mean the China Incident?

21 Q No. I mean, were the policies for this  
22 military training formulated and set by the War  
23 Ministry?

24 A No, I know nothing of this.

25 Q Well, you were not present at any of these

IKESHIMA

CROSS

1 meetings where this new policy was formulated for  
2 intensive military training, were you?

3 A No.

4 Q And what you are testifying to concerning  
5 the policies of military training is what you have  
6 heard from others and purely hearsay, is that  
7 correct?

8 A Yes, it is what I have heard from students  
9 and also my fellow professors.

10 MR. McMANUS: No further questions.

11 MR. DONIHI: The prosecution does not desire  
12 to examine this witness further.

13 THE PRESIDENT: You may leave, Witness.

14 (Whereupon, the witness was excused.)

15 MR. DONIHI: Mr. President, at this time the  
16 prosecution would like to call Mr. SAKI, Akio as a  
17 witness.

18 DEPUTY MARSHAL OF THE COURT: Mr. President,  
19 the witness is in court and will now be sworn.

20 - - -

21 A K I O S A K I, called as a witness on behalf  
22 of the prosecution, being first duly sworn,  
23 testified as follows:  
24  
25

SAKI

DIRECT

DIRECT EXAMINATION

BY MR. DONIHI:

Q Will you state your name to the Court, please?

A I am SAKI, Akio.

Q I hand you herewith an affidavit and ask you to examine it and determine whether you have seen this affidavit previously?

A There is no mistake.

Q Do you read English, Mr. SAKI?

A I can, but not very well.

Q Do you read well enough to have determined the facts contained in the affidavit which you have just stated is one that you have previously seen?

A Yes, I do.

Q Before signing this affidavit, was it first translated from English into Japanese for you?

A No, I read it in English.

Q Did you find all of the facts contained therein to be true and correct before signing said affidavit?

A Yes, I understood it to be so.

Q And this document which you have just examined, is that then the affidavit which you signed?

A Yes.

SAKI

DIRECT

1 MR. DONIHI: May it please the Tribunal,  
2 the prosecution next in order tenders the affi-  
3 davit of this witness in evidence.

4 CLERK OF THE COURT: Exhibit 144 marked in  
5 evidence.

6 (Whereupon, the document above  
7 referred to was marked prosecution's ex-  
8 hibit No. 144 in evidence.)

9 MR. DONIHI. "International Military Tribunal  
10 for the Far East. The United States of America, et al,  
11 against ARAKI, Sadao, et al. Affidavit.

12 "I, SAKI, Akio, do swear on my conscience  
13 that the following is true:

14 "I am President of the Nihon Kamishibai  
15 Association. My company manufactures what are  
16 known as paper theater productions. Such produc-  
17 tions are prepared on large picture cards with a  
18 story on the back of each, there being 20 cards  
19 to the set. These card sets were made for sale  
20 and distribution to travelling candy vendors, who  
21 would use the cards in attracting crowds as an  
22 aid in the sale of their production, and to  
23 teachers and nurses for use in entertaining and  
24 educating children and grownups alike.

25 "Following the China Incident, card sets

SAKI

DIRECT

1 and stories to match became popular--or, gradually  
2 of an ultra-nationalistic and militaristic nature,  
3 sets of this type being manufactured upon instruc-  
4 tions from the Government.

5 "In July 1941 upon instructions from the  
6 Imperial Rule Assistance Association, my company  
7 manufactured a set of cards, the story for which  
8 was supplied by the Imperial Rule Assistance Asso-  
9 ciation, the set being entitled 'Japan is Now  
10 Fighting' (Senso Shita Irunoda). This set, of  
11 which many thousand copies were made, depicts  
12 United States and Great Britain as being responsible  
13 for the China War, and that China and Japan must  
14 join hands, and Japan must join Italy and Germany  
15 to fight the United States. This particular set  
16 is a typical example of the type of card sets being  
17 manufactured for the government at this time. A  
18 copy of this set is International Prosecution Docu-  
19 ment No. 7117.

20 "Following the China Incident, the Kamishi-  
21 bai became popular with adults as well as children  
22 and was used to a very great extent in the schools  
23 of Japan."

24 Signed "Akio SAKI."  
25



SAKI

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1 Q Mr. SAKI. I hand you herewith prosecution's  
2 document 7117, and ask you to examine it. Have you  
3 examined the document, Mr. SAKI?

4 A Yes, I have.

5 Q Is that document the set which you have re-  
6 ferred to in your affidavit as "Kamishibai," en-  
7 titled "Japan is now fighting"?

8 A Yes, it is.

9 MR. DONIHI: If the Tribunal please, at  
10 this time the prosecution would like to offer in  
11 evidence the document 7117 as an exhibit to this  
12 witness's testimony.

13 (Whereupon, the document above  
14 referred to was marked prosecution's ex-  
15 hibit No. 145 for identification.)

16 THE PRESIDENT: Admitted.

17 (Whereupon, prosecution's ex-  
18 hibit No. 145 was received in evidence.)

19 MR. FURNESS: Is that a set of cards, just  
20 for the record here?

21 DONIHI: Yes, it is a set of cards, with  
22 writing on the back of the cards.

23 MR. FURNESS: Have you submitted to us a  
24 set of cards? I don't think we have seen them?

25 MR. DONIHI: We were informed by our

SAKI

DIRECT

1 authorities who were to send them down, and I  
2 checked with one of our counsel a few moments ago  
3 who advised me that such a distribution of this  
4 document had been made.

5 MR. FURNESS: We have a written document,  
6 but we have not got the cards.

7 MR. BROOKS: If the Tribunal please, I  
8 have never seen a copy of that. The three affi-  
9 davits delivered this morning to our office at  
10 eight o'clock were two of the affidavits that were  
11 just read. I had a half an hour to look at them,  
12 and I have not seen this whatsoever. It was a  
13 record that they were to deliver to our office  
14 at eight o'clock, record's office; they were de-  
15 livered to my office at nine. I would like the  
16 rules to be complied with as much as possible.  
17 I would like to have a chance to examine this,  
18 if possible, and discuss with counsel the questions  
19 to be asked.

20 THE PRESIDENT: In fairness to the defense,  
21 the cross-examination of this witness on those  
22 cards might be postponed until tomorrow morning.  
23 This will enable substantial compliance with the  
24 rules.

25 MR. JUSTICE MANSFIELD: If the Tribunal

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1 please, the International Prosecution records show  
2 that these affidavits, which, as have just been said,  
3 were not received by one of the counsel until this  
4 morning, was delivered in English on the 17th of  
5 this month and delivered in Japanese on the 18th  
6 of this month, and the receipt is held in the prose-  
7 cution section for that particular document. The  
8 fact that their administrative section has not de-  
9 livered it is no fault of the prosecution. I will  
10 have this checked. I understand that these docu-  
11 ments have also been delivered well outside the  
12 time required by the rules, and there has been, I  
13 understand, but I will have it checked, not only a sub-  
14 stantial but an actual compliance with the rules of  
15 the Court.

16 MR. BROOKS: If the Court please, on that  
17 point, I discussed with the distinguished counsel  
18 for the prosecution this very matter, and I have  
19 his record, that it states in his record that they  
20 were delivered at 1410, the 17th of June, in English,  
21 and at 4:30, the 18th of June, in Japanese; but our  
22 records, where they came down and got the receipts,  
23 shows 0800, June 20, on both Japanese and English,  
24 and I checked with Mr. KIYOSE on the Japanese, and  
25 that was this morning, was the first he saw of

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1 these records, and I am sure that is the first  
2 time I have had it, and that is the way the record  
3 stands. I can bring the record into court, if  
4 necessary. I said I would not raise this point if  
5 the copy complies in the future with the Charter  
6 and rules, and it has not been so in the picture  
7 deal. I do not know what they are. I would like  
8 to see them and examine them.

9 MR. WARREN: If the Tribunal please, maybe  
10 I can make an explanation and straighten this things  
11 out so that we can proceed and save time. The docu-  
12 ment, 7117, which we have, is an explanation ap-  
13 parently of a legend of a script that appears on  
14 the back of a set of cards, which is explained in  
15 the affidavit, which is document 11508 just intro-  
16 duced as exhibit No. 144. I have both explanation  
17 and the affidavit. I understand, from the prosecu-  
18 tion table, that the set of cards were not delivered,  
19 or they thought they had been delivered, but of  
20 course we did not receive them. I think if de-  
21 fense counsel understood what it is that those  
22 cards actually appear to be -- real evidence rather  
23 than documentary evidence, in the true sense of the  
24 word, perhaps they would not object if they under-  
25 stand what it is.

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1 MR. DONIHI: May it please the Tribunal,  
2 we cannot state that this document has not been  
3 delivered. However, in view of the fact that there  
4 has been some confusion, obviously, the prosecution  
5 is quite willing to determine that these defense  
6 counsel have copies of the document in their hands  
7 by morning, if it would be in keeping with the idea  
8 and thought of the Court.

9 THE PRESIDENT: If what is contested here,  
10 this ought to be a short witness. I suppose he did  
11 publish these things or print them.

12 MR. DONIHI: His company.

13 THE PRESIDENT: And his personal attitude  
14 toward them is quite immaterial as he isn't a pro-  
15 fessor or anything like that. He is just a pub-  
16 lisher.

17 MR. DONIHI: That is right.

18 THE PRESIDENT: It is a waste of time to  
19 postpone the examination of a witness like that,  
20 although I did suggest it, but I did not realize  
21 for the time being just what type of witness he is.  
22 He is more or less a formal witness producing a  
23 document, unless the publication of these things  
24 is going to be contested.

25 MR. DONIHI: It is the prosecution's wish,



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1 may it please the Court, to comply with the de-  
2 sires of the Tribunal in any event, and we are  
3 willing to continue at this time, and the defense  
4 may take the witness.

## CROSS-EXAMINATION

BY MR. FURNESS:

7 Q Mr. SAKI, in your affidavit you say that  
8 these cards were manufactured by your company in  
9 July 1941?

10 A Yes, they were published by my company.

11 Q Your company merely published them; it did  
12 not distribute them, is that right?

13 A Yes, they distributed -- my company dis-  
14 tributed these cards also.

15 Q When did they distribute them?

16 A Although I am not sure, I believe that it  
17 was immediately after publication.

18 Q If you distributed -- you do not remember  
19 exactly when you distributed them, is that correct?

20 A No, I have no definite remembrance.

21 MR. FURNESS: No further questions from me.

## CROSS-EXAMINATION (Continued)

BY DR. KIYOSE:

24 Q In the last part of your affidavit, where  
25 you say that upon instruction from the Imperial

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1 Rule Assistance Association, my company manufac-  
2 tured a set of cards. In the last part of that para-  
3 graph you say that this particular set was being man-  
4 ufactured for the government. By "government" do you  
5 mean the Imperial Rule Assistance Association?

6 A The government and Imperial Rule Assistance  
7 Association were more or less considered as one and  
8 the same thing by us amateurs.

9 Q That is a very extreme statement that you  
10 have made. If you confuse the government and the  
11 Imperial Rule Assistance Association, the other  
12 statements you make -- the veracity of the other  
13 statements you make -- can also be questioned. Please  
14 state this definitely. If you continue this kind of  
15 answer I cannot continue my questions.

16 I ask you again: Is not the term "govern-  
17 ment" a mistake for the Imperial Rule Assistance  
18 Association? If it is a mistake, you may correct  
19 it.

20 A I would like to confirm the document. May  
21 I see it again?

22 Q The witness must reply at once. If he  
23 cannot reply I shall rest my question here.

24 A It is not that I can't reply, if you will  
25 just give me a little time --

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1 MR. DONIHI: May it please the Tribunal, of  
2 course the witness in this instance would have a  
3 right to look at the document.

4 THE PRESIDENT: I suppose that if he made a  
5 mistake he may correct it by looking at the docu-  
6 ment.

7 A At the time these cards were made they were  
8 made, many of them, by direct orders from various  
9 branches of the government, and many others also  
10 by orders from the Imperial Rule Assistance Asso-  
11 ciation. What I meant to say in the affidavit is  
12 the one particularly mentioned was representative  
13 or typical of the cards that were published.

14 Q That is not an answer to my question. Of  
15 course you may have received orders from the govern-  
16 ment on another occasion, but what I am asking you,  
17 is, the word "government" used here, is that a mis-  
18 take for the Imperial Rule Assistance Association?

19 A It may have been a mistake on my part to  
20 consider the Imperial Rule Assistance Association  
21 and the government as the same thing; but when I  
22 used the word "Kamishibai" or story-telling cards  
23 in this affidavit, I used it in its plural meaning  
24 and mentioned this particular one as one being  
25 typical of those published by orders sent from the

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1 government.

2 Q Then, from what branch of the government  
3 did you receive orders?

4 A I can't say exactly, but very many depart-  
5 ments at that time were connected with this project.

6 Q The point I am asking you: In the English  
7 text of your affidavit begins with the words, "This  
8 particular set is a typical example, " etc." I am  
9 not asking you of Kamishibai in general, but of this  
10 particular set, so your answer is no answer at all  
11 to my question.

12 A This particular set was made by the Imperial  
13 Rule Assistance Association.

14 Q I understand. There is one other ques-  
15 tion I would like to ask: Kamishibai, or paper  
16 theater cards, already existed in our country long  
17 before, did they not?

18 A Not very old, but it is quite well known  
19 that it began in the early part of the Showa era,  
20 or in the latter 1920's.

21 Q But these Kamishibai were very common;  
22 they were vulgar productions, and although it was  
23 in wartime, this attempt was by the Imperial Rule  
24 Assistance Association. Was it not an attempt to  
25 raise the standard of these paper theater productions?



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1 A Aside from this particular set in question,  
2 I will admit, as you say, that the first productions  
3 were of a very low grade and that efforts were made  
4 to raise their standards by such movements as the  
5 Educational Kamishibai Movement.

6 Q And is it not also true that these paper  
7 theater cards taught the children to be kind, to be  
8 honest, to study their lessons, et cetera, and that  
9 this particular set was only one of them?

10 A Yes, there were many of them for classroom  
11 use and also many to be used in the agricultural dis-  
12 tricts in order to promote their cultural develop-  
13 ment.

14 DR. Kiyoss: Thank you.

15 MR. DONIH: The prosecution does not desire  
16 to re-examine the witness.

17 THE PRESIDENT: Well, this is a convenient  
18 break.

19 We will adjourn now until thirty minutes  
20 past nine tomorrow morning.

21 (Whereupon, at 1558, an adjournment  
22 was taken until Friday, 21 June 1946, at  
23 0930.)  
24  
25